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NATIONAL SUPPORT OF INTERNATIONAL  
PEACEKEEPING AND PEACE  
OBSERVATION OPERATIONS

BACKGROUND PAPERS

Volume V

ACDA/IR-161

PREPARED FOR

THE U.S. ARMS CONTROL AND DISARMAMENT AGENCY

PREPARED BY

Washington Center of Foreign Policy Research  
School of Advanced International Studies  
The Johns Hopkins University

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IR-161 V

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OPERATIONS

VOLUME V

BACKGROUND PAPERS

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F O R E W O R D

Compiled in five volumes, the study "National Support of International Peacekeeping and Peace Observation Operations" consists of the Summary Report and Final Report in Volumes I and II, respectively; the three remaining volumes contain the background papers which analyze in detail the support arrangements for the major peacekeeping and peace observation operations undertaken by the United Nations and under other auspices.

Volume III examines the national support aspects of the major United Nations peace observation missions. Arranged in chronological order, the papers in this volume identify and assess the significant problems of these missions.

The policies and problems of national support of the major United Nations peacekeeping operations are examined in detail in the case studies included in Volume IV. These explore the significant manpower, financial and logistical, as well as political problems, in mounting and sustaining United Nations peacekeeping forces, with emphasis on the role played by the United States.

The background papers of Volume V investigate in the same manner the national support experience in peacekeeping and peace observation operations undertaken by regional organizations and under ad hoc arrangements. These cases cover the experiences of the Organization of American States and the Arab League, as well as the Neutral Nations Supervisory Commission in Korea, and the International Commissions for Supervision and Control in Laos, Cambodia, and Vietnam created under the Geneva Accords of 1954. These cases afford an opportunity to analyze and contrast the methods of approach between the United Nations and non-United Nations operations.

Many of these missions have been either explicitly or implicitly entrusted with arms control functions. The manner in which these mandates have been carried out is dealt with in some detail and provides insights into the kinds of organizational and operational problems that are likely to arise for any future arms control agreement that encompasses a verification system requiring on-the-spot inspection.

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LIST OF ABBREVIATIONS

ACDA	Arms Control and Disarmament Agency
IAPF	Inter-American Peace Force (Dominican Republic)
ICC	International Commission for Supervision and Control (Laos, Cambodia, and Vietnam)
IPKO	International Information Center on Peacekeeping Operations
NNSC	Neutral Nations Supervisory Commission (Korea)
OAS	Organization of American States
OAU	Organization of African Unity
ONUC	Operation des Nations Unies au Congo
UNCI	United Nations Commission on Indonesia
UNEF	United Nations Emergency Force
UNFICYP	United Nations Peacekeeping Force in Cyprus
UNIPOM	United Nations India Pakistan Observation Mission
UNMOGIP	United Nations Military Observer Group in India and Pakistan
UNOGIL	United Nations Observation Group in Lebanon
UNSCOB	United Nations Special Committee on the Balkans
UNSF	United Nations Security Force (West Irian)
UNTEA	United Nations Temporary Executive Authority (West Irian)
UNTSO	United Nations Truce Supervision Organization
UNWNG	United Nations in West New Guinea
UNYOM	United Nations Yemen Observation Mission

ABBREVIATIONS FOR UN DOCUMENTS

Budget Estimates, 1969

Budget Estimates for Financial  
Year 1969 and Information  
Annexes (appears annually as  
GAOR Supplement No. 5)

Financial Report, 1968

Financial Report and Accounts  
for the Year Ended 31 December  
1968 (appears annually as GAOR  
Supplement No. 6)

GAOR

General Assembly Official Records

A/

General Assembly Documents  
C.5 refers to the Fifth  
Committee

SCOR

Security Council Official Records

S/

Security Council Documents

UNPR

United Nations Press Release,  
Office of Public Information  
LEB (Lebanon), PAL (Pales-  
tine), WNG (West New Guinea)

UNTS

United Nations Treaty Series

KOREAN ABBREVIATIONS

CFI	Custodial Force India
DMZ	Demilitarized Zone
JOT	Joint Observer Team
JSA	Joint Security Area
KPA/CPV	Korean Peoples Army/Chinese Peoples Volunteers
MAC	Military Armistice Commission
MDL	Military Demarcation Line
NNIT	Neutral Nations Inspection Team
NNMIT	Neutral Nations Mobile Inspection Team
NNRC	Neutral Nations Repatriation Commission
NNSC	Neutral Nations Supervisory Commission
UNC	United Nations Command



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NEUTRAL NATIONS SUPERVISORY COMMISSION

AND

INTERNATIONAL COMMISSION FOR  
SUPERVISION AND CONTROL

(NNSC and ICC)

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NEUTRAL NATIONS SUPERVISORY COMMISSION  
AND  
INTERNATIONAL COMMISSION FOR  
SUPERVISION AND CONTROL  
(NNSC and ICC)

I

INTRODUCTION

For more than 15 years interesting forms of peace observation machinery have been operating in Korea and in Vietnam, Cambodia and Laos. After short initial periods of effectiveness, they lapsed into dormancy. Yet the concerned parties have not seen fit to do away with them entirely, although efforts to that effect have been made from time to time by some of the participants or parties. These peace observation missions may continue in existence for many more years and those in Vietnam and Laos could become the framework upon which expanded or revitalized peacekeeping or peace observation machinery might be built, if on-going intensified efforts for a cease-fire in those areas produce results. This feature--their possible future use--makes consideration of the International Commission for Control and Supervision (ICC) in Vietnam and Laos especially significant.

Recent events have focused renewed attention on the Korean armistice machinery. These events included the USS Pueblo capture of December 1967 and the release of her crew a year later, the shooting down of the US EC-21 electronic reconnaissance airplane with its 31-man crew on 15 April 1969, and the downing of the U.S. helicopter with its 3 passengers in August 1969.

The truce machinery employed in Korea and in the three Southeast Asia states offers excellent opportunities for evaluation and comparison of the support problems of an overall generic form of peace observation operation into which all 4 fall; i.e., ad hoc, non-UN, and non-regional,<sup>1</sup> but international with "neutral" supervision. Valid and

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<sup>1</sup> "Non-regional" meaning not under the auspices of an existing regional organization.

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instructive comparisons are also possible between the Korean version and the Southeast Asia version, which was a direct descendant, and even between the original Southeast Asia format and the amended one adopted for Laos when the occasion arose for revamping the machinery for that country in 1961-1962.

This paper will deal mainly with the organizational and procedural aspects of the Korean and Indochinese peacekeeping mechanisms and how they were fielded and supported and their implication for arms control. The temptation to become involved in the great and controversial political issues of the situations will be resisted. As much of the details as possible will be attached as annexes.

The scope and scheme of treatment will be to deal factually, briefly and separately with the Korean experience and then the Indochina experience, describing the peacekeeping machinery, its support arrangements and how they have worked out in practice. Evaluation and comparison of the salient features (e.g. tight/loose agreements, co-chairmen, "neutral" nations, troikas, unanimous/majority voting, support arrangements) will be dealt with in the final chapter. Brief reviews of the developments leading to the peace agreements are attached as Annexes A (Korea) and B (Indochina).

## II

### SUPPORT ARRANGEMENTS FOR THE SUPERVISION OF THE KOREAN ARMISTICE AGREEMENT OF 1953

The Korean Armistice went into effect and firing stopped at 2200 hours on 27 July 1953 after almost 3 years of war, the last 2 of which were also occupied with tortuous negotiations between military representatives of the two sides. These negotiations took place on the battlefield, initially for a short period at the ill-chosen site of Kaesong which was in communist-held territory, but for most of the period at the neutral site of Panmunjom between the battle lines.

The following sections of this chapter will describe the main features of the Armistice Agreement, including those important arms control features concerned with preventing a military buildup, and the truce machinery which was established and maintained to supervise the implementation of the Armistice.<sup>1</sup>

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<sup>1</sup> See Annex A for a brief treatment of the historical setting and developments leading to the Korean Armistice Agreement.

A. TRUCE SUPERVISION MACHINERY<sup>1</sup>

The basic organizational features of the Korean armistice machinery were:<sup>2</sup>

(1) The two contesting sides drew back from a military demarcation line (MDL) and the resulting buffer or demilitarized zone (DMZ) was supervised by joint observer teams (JOT) operating under a Joint Military Armistice Commission (MAC) with absolute parity of the two combatant sides in these organizational bodies (the two sides being UNC and KPA/CPV).

(2) In the areas to the rear of the buffer zone, fixed and mobile inspection teams (NNIT, NNMIT) of 4 non-combatant nations, Czechoslovakia, Poland, Sweden and Switzerland, (for whom collectively the inappropriate and misleading term "neutral nations" was used) were established. They were to supervise, observe, inspect, investigate and report, through a supervisory commission made up of the senior delegates of the 4 nations (NNSC), compliance with armistice agreement provisions aimed at preventing a military buildup by either side. These arms control provisions were specified in subparagraphs 13c and 13d and in paragraph 28 of the armistice agreement. This essentially two-sided "neutral" machinery had no executive role beyond reporting its findings (almost always its split findings) to the two-sided Military Armistice Commission (MAC).

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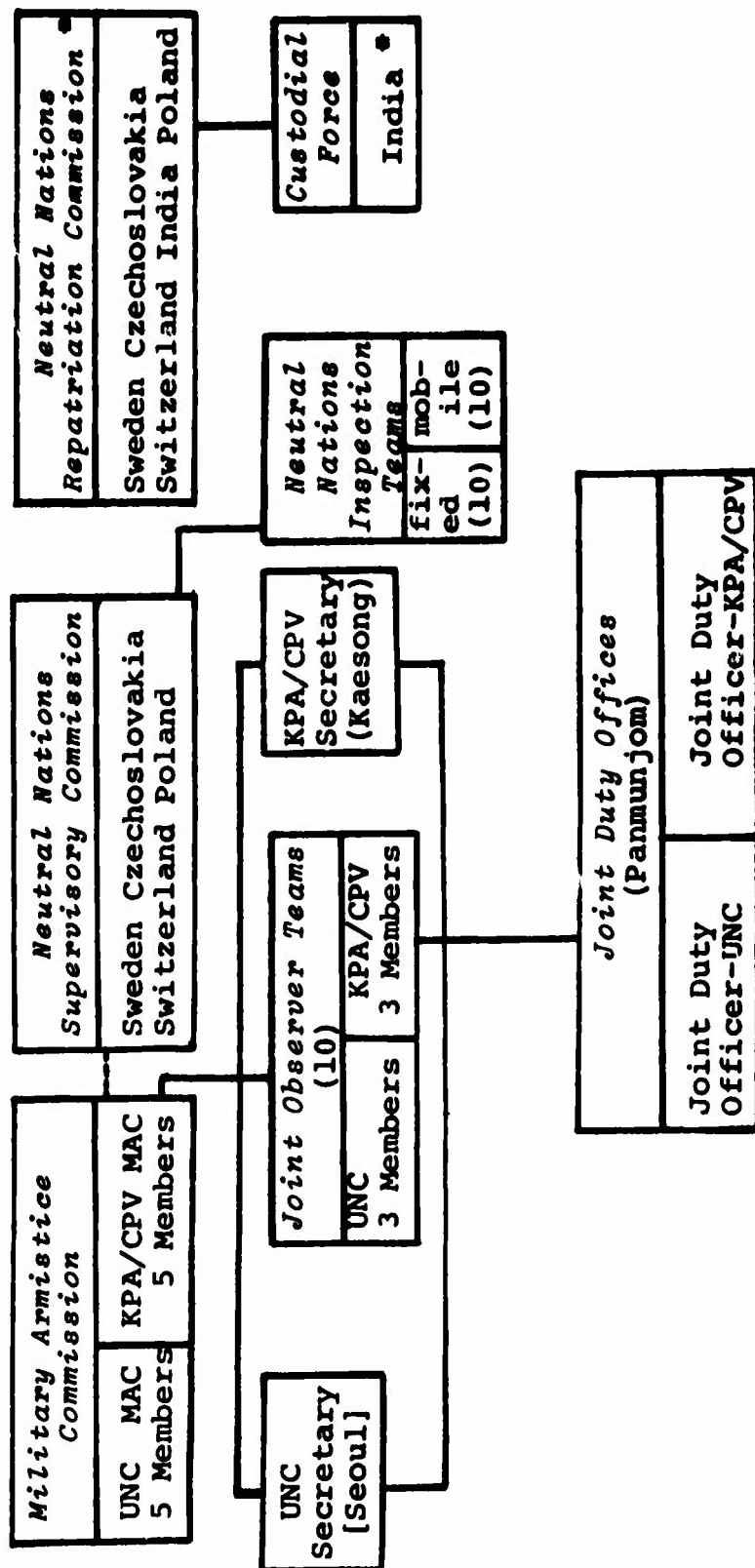
<sup>1</sup> The complete text of the Korean Armistice Agreement of 27 July 1953 is TIAS 2782. See Table 1, *infra*, p. 7, for an organization chart of the Korean Armistice Agencies.

<sup>2</sup> Abbreviations for armistice terms which will be used hereafter, are identified as follows:

- CFI - Custodial Force India
- DMZ - Demilitarized Zone
- JOT - Joint Observer Team
- JSA - Joint Security Area
- KPA/CPV - Korean Peoples Army/Chinese Peoples Volunteers
- MAC - Military Armistice Commission
- MDL - Military Demarcation Line
- NNIT - Neutral Nations Inspection Team
- NNMIT - Neutral Nations Mobile Inspection Team
- NNRC - Neutral Nations Repatriation Commission
- NNSC - Neutral Nations Supervisory Commission
- UNC - United Nations Command



## KOREAN ARMISTICE AGREEMENT AGENCIES - TABLE 1



\*operated only during the 5-month period September 1953 to February 1954

(3) For a temporary period representatives of the same 4 "neutral nations" plus India (Neutral Nations Repatriation Commission - NNRC) were to supervise the execution of the agreement on Prisoner of War (POW) repatriation.<sup>1</sup> India, in addition, provided the military custodial force (CFI) for the operation. Accepting that the 4 "neutral nations" arrangement was, in fact, two-sided the POW structure thus amounted to the only 3 sided (troika) feature in the Korean Armistice organization. Since her representatives also acquired physical custody of the objects of the exercise, i.e., the POWs refusing repatriation, as well as the chairmanship and the deciding vote in the NNRC on all split issues, essentially India had a high degree of control of the POW exchange.<sup>2</sup>

(4) Alleged armistice violations, whether reported by either command or the neutral nation bodies for the rear areas, were a matter for negotiation between the two commands, not for adjudication or voting.

(5) A political conference, which the commanders of both sides recommended should meet within 3 months, was to negotiate the final settlement of the situation.

Obviously, the machinery established in 1953 for the armistice has undergone many changes in the 16 years which have followed. Components which were intended to be temporary were disbanded as their work was completed or overtaken by events. In this category were the POW Repatriation and Return of Displaced Persons Committees of the two sides, the 5-nation repatriation Commission, the CFI and the Joint Red Cross Teams of the two sides which worked during the POW exchange period until February 1954.

The MAC has remained unchanged with 5 members on each side but only the senior UNC member is now assigned full-

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<sup>1</sup> The POW exchange agreement was settled on 8 June 1953 and became an Annex to the Military Armistice Agreement on 27 July 1953. It is also to be found in TIAS 2782.

<sup>2</sup> India also had the role of "umpire" under Article 132 of the Geneva Convention and, in addition to being the chairman, was also the "executive agent" of the NNRC (para. 2 of the NNRC Agreement).



time and only for a 6-months tour. Over the 16 years since the armistice the MAC has met 294 times (as of 4 September 1969). The requirement to meet at least once each week has been ignored in recent years. Something over two-thirds of the meetings have been called by the KPA/CPV side. The large staff and secretariat for the two sides of the MAC have been reduced progressively to very small groups. The 10 original Joint Obs Teams (JOTs) were progressively reduced to 7, then 6 and now 4 and are inactive.

The Neutral Nations Supervisory Commission (NNSC) structure from its original contingents of about 100-140 people from each of the 4 countries has been reduced to about 8-10 people each including such supporters as cooks and radio men. Its 10 fixed teams and 10 mobile teams were partially reduced in late 1953 and again in 1955 and in mid-1956 the teams ceased to function. The remaining members of the NNSC meet weekly at Panmunjom for a few minutes in compliance with the Armistice Agreement. It still receives and notes reports from the two sides.<sup>1</sup>

#### B. ARMS CONTROL FEATURES

The 11 paragraphs of Article I of the Agreement, setting up and establishing procedures for the Military Demarcation Line (MDL) and the Demilitarized Zones (DMZ) 2 kilometers wide on either side of it, and the disengagement-of-forces arrangements of Article II were of the nature of arms control measures. However, the continuing features of the Armistice most often thought of in this context were the following:

- (1) Article II - Subparagraph 13c - prohibiting the introduction of reinforcing military personnel, but permitting rotation of up to 35,000 per month through designated ports of entry under neutral nation supervision. Daily reports covering arrivals and departures were required. Provision was made for personnel going or returning on leave and on short periods of temporary duty.
- (11) Article II - Subparagraph 13d - prohibiting the introduction of "reinforcing combat aircraft, armored

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<sup>1</sup> See infra, pp. 12-22 for further details on the operation of the NNSC and its teams.

vehicles, weapons, and ammunition," but permitting the replacement "on the basis of piece-for-piece of the same effectiveness and the same type" of such materiel destroyed, damaged, worn-out or used up after the date of the cease-fire. Exports for which replacement credit was required and all imports had to come through the specified ports of entry under neutral nations supervision and written reports were required in each instance.

- (iii) Article II - paragraph 28 - authorized the Military Armistice Commission (MAC), or the senior member of either side of the MAC to request Neutral Nation inspection of reported violations in rear of the DMZ. By subparagraph 42e, which provided for 10 Neutral National mobile teams to perform such special inspections, the number of such teams which could at any one time be used at the request of either side of the MAC was set at 5.
- (iv) Article II - paragraph 43 - prescribed 10 ports of entry, 5 in each part of Korea depicting on maps the area of the ports of entry and the routes over which full convenience of movement would be accorded.

The purpose of these provisions was clearly to maintain the status quo with respect to forces and weapons on both sides in Korea. In the negotiation stage, the United Nations Command (UNC) side made one major concession in this respect--permitting the rehabilitation of airfields in North Korea. It can be argued, particularly in retrospect, that this was a very major concession, since it involved the one area of buildup which an inspection system, even one as faulty as the Korean model turned out to be, could probably have successfully detected.

U.S. negotiators were convinced that the communist side had no intention of abiding by the arms control restrictions or the port of entry inspection system, but they tried very hard to develop as tight a system as possible.

All the care exercised in drafting arms control provisions turned out to be futile. Within weeks of the armistice the ease with which the provisions could be violated and detection frustrated had been demonstrated. The best analysis

of just how unworkable both the provisions themselves and the supervising machinery worked out in practice is contained in the lengthy review by the Swedish member of the Neutral Nations organization after 6 months of experience (attached as Annex F).

After almost 3 years of hopeless bickering in the MAC and between the two pairs of Neutral Nations, and with no means under the Armistice Agreement for resolving this type of problem, the United Nations Command unilaterally but provisionally suspended the operation of the Neutral Nations Inspection Teams in South Korea "as long as your side remains in default" of the terms of the Armistice Agreement.<sup>1</sup> In June 1956 the Neutral Nations teams were withdrawn from both North and South Korea, and have not functioned since.

A year later, faced with a further buildup of combat aircraft and artillery in North Korea, the United Nations Command suspended the arms control terms of the Armistice Agreement in order to restore the military balance.<sup>2</sup>

#### C. SUPPORT ARRANGEMENTS

The basic idea for supporting the Korean armistice machinery, as expressed in paragraph 18 of the Agreement, was a 50-50 sharing of all costs between the two sides. The technique was to arrange all support activities so that, through provision of equal goods and services or trade-offs there would be very few occasions for money to be exchanged. The single largest exception to the balance and trade-off approach was the transport costs of the 5,000-man Custodial Force India (CFI). These costs were shared equally by the two sides but sizable payments were involved. (See infra, p. 16).

The two-sided character of the various bodies made equal sharing relatively easy. Each side provided in equal numbers its own personnel and all their support in the Panmunjom headquarters area and the 6 main buildings there, astride the

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<sup>1</sup> "Withdrawal of NNSC Teams from South Korea," Department of State Bulletin, Vol. 34 (11 June 1956), pp. 967-970.

<sup>2</sup> "UN Command in Korea announces Intention to Replace Old Weapons," Department of State Bulletin, Vol. 37 (8 July 1957), pp. 58-59.

Military Demarcation Line (MDL) were constructed and furnished-- 3 by each side. The UNC side provided all support for the Swedes and Swiss in the headquarters area or in South Korea. It also provided for the Czechs and Poles when they were stationed or travelled in South Korea. The Korean Peoples Army/Chinese Peoples Volunteers (KPA/CPV) side, similarly, supported their own personnel within their half of the Demilitarized Zone (DMZ) and within the headquarters area. They supported all the neutral nations activities north of the MDL. Each side constructed its own facilities in its half of the DMZ for the POW exchange, including half the accommodations and support for the Indian personnel of the CFI.

With respect to certain joint activities, reasonable trade-offs were arrived at. For example, Joint Observer Teams (JOTs), made up of 4 to 6 officers from each side plus assistants, usually met at specified markers along the MDL.<sup>1</sup> The tent, furnishings and heating and lighting equipment required were furnished by the two sides by agreement. Functional specialization usually resulted in the KPA/CPV side furnishing the tent, tables and chairs and the UNC side the heating and lighting equipment. The problem of telephone communications between the duty officers of each side in the Panmunjom headquarters was resolved by having two telephone lines, one with a UNC instrument on each end, and the other with a KPA/CPV instrument on each end.

Within the overall policy of equal sharing, as prescribed in paragraph 18 of the Armistice Agreement, the mechanics for working out specific details depended on the Military Armistice Commission (MAC) Secretariat. Paragraph 22 of the Agreement established "a" Secretariat for the MAC and the whole MAC structure was intended to be "joint". The Secretaries (2 U.S. colonels, 1 NKA colonel, 1 CPV colonel) had been meeting even during the negotiating period and they met at least once every day for a month or so without a break after the Agreement was signed. Regardless of the number of separate meetings, all meetings on a specific day counted as a single numbered meeting of the Secretaries. Efforts were made in the early meetings to create the joint secretariat organization but these were unsuccessful. Each side's secretariat

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<sup>1</sup> See footnote infra, p. 25.

remained geographically separate and their activities were coordinated through frequent meetings of the Secretaries, staff officers, language personnel, specialists and duty officers.

The summaries of the first dozen or so numbered meetings of the Secretaries give the impression of courteous cooperation between the sides.<sup>1</sup> Each side expressed thanks for information provided and made their comments or requests in polite language. For example, in the 3rd and 4th meetings on 29 and 30 July 1953, the UNC Secretary requested and got payment from the other side for 500 sets of maps furnished to the KPA/CPV with the Armistice Agreement.<sup>2</sup> He received \$1,400 in dollars for a cost of \$1,362.56 and returned \$37.44 in change. At the 5th meeting on 1 August representatives from the 4 NNSC nations met with the Secretaries and their relationship and arrangements were discussed without controversy.

Through the remainder of August the Secretaries met at least once daily and exchanged POW and deceased personnel lists and information on DMZ mine fields, arranged for identity cards for Neutral Nations personnel (UNC would print, KPA/CPV would pay half; a half share of the first batch came to \$21.82), worked on navigation rules for the Han River Estuary which was involved with the DMZ, allotted support tasks and facilities in the headquarters area, established procedures for JOT functioning and began to make arrangements for support of the Neutral Nations Supervisory Commission (NNSC), Neutral Nations Repatriation Commission (NNRC) and the Custodial Force India (CFI). The Secretaries also began exchanging the daily reports on rotating personnel as required by subparagraph 13c of the Armistice Agreement.

It was the KPA/CPV Secretary who on 31 August 1953 proposed formally the basic support idea described in the preceding paragraphs including the equal sharing of the very

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<sup>1</sup> The modern Military Department of the U.S. National Archives maintains files of minutes and summaries of early Korean Truce meetings, including Secretaries meetings.

<sup>2</sup> See footnote 3, infra, p. 26.

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big items which could be foreseen, the movement from India and return of the CPI. He indicated that all support furnished to the neutral nations in the north would be non-reimbursable.

An advance planning group from India attended the Secretaries 36th and 37th meeting on 2 and 3 September 1953 and laid out the rather sizable support measures that would be required for the arrival of the Indian advance party just a few days later on 9 September and the main body commencing on 15 September. The total of the two groups would exceed 5,000 personnel.

From September 1953 onward Secretaries' meetings became less frequent and far more argumentative. Daily meetings in August had been reduced to only 1 or 2 meetings per week by December 1953. Language was harsher and accusations by the KPA/CPV Secretary of Armistice violations by UNC came to fill most of the pages of the summaries.

That disruption of truce machinery need not occur over issues of great substance is illustrated by the question of the visit to the Swedish NNSC delegation in the DMZ by the Swedish envoy in Japan and his wife. A request for approval of such a visit was submitted to the MAC in September 1953 by the Swedish delegate to the NNSC and, of course, was approved without question by both sides in a MAC meeting. Letters in the normal 3 languages of the Armistice (English, Korean, Chinese), prepared by the UNC Secretary to advise the Swedes that the visit had been approved, were rejected by the KPA/CPV Secretary on the grounds that the symbol in the Korean language version standing for Korea was not the one used by his side. This same argument had been raised on numerous occasions during the two years of the Armistice negotiations. The Secretaries argued for 3 days in this instance and to avoid the need to send 6 letters (1 in each language prepared and signed by each side), they finally agreed to call in the Swedish duty officer and read the answer to him. On many occasions thereafter implementation of MAC decisions was held up by such tactics. The Korean and Chinese symbols to be used for the term "repatriation" were another language problem on which endless haggling could have resulted. This was solved during the negotiation stage by including in paragraph 51c of the agreement the actual word or symbol to be used in the 3 official languages.



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Further details on support arrangement will be illustrated in the following section which covers national support furnished by each nation participating in the Armistice machinery.

### D. NATIONAL SUPPORT

1. United States: At the war's end U.S. forces in Korea had already gained 3 years experience in providing combat, logistical and administrative support for the 16 other national components of the United Nations Command (UNC). The machinery and procedures for support were, by then, fully adequate and there was no shortage of resources for basic living under field conditions. The Armistice support situation had certain distinctive features, however. The Czechs, Indians, Poles, Swedes and Swiss had a status resembling that of invited honored guests. It could be anticipated that they would expect the best, that the communist "neutrals," at least, would be quick to criticize, and that none would be expected to pay for anything.

Five days before the Armistice was signed, General Mark Clark (as the Commander-in-Chief of the U.S. Far East Command, CINCFE, as distinct from his other role as Commander-in-Chief UN Command, CINCUNC) advised Washington that he was establishing a base camp in the Demilitarized Zone (DMZ) and a support group to provide logistic and other support required of the UNC side for armistice agencies. He was also establishing detailed reporting procedures to account for all costs involved and requested advice as to which U.S. governmental agencies should assume fiscal responsibility.<sup>1</sup>

The official policy guidance was worked out through a series of message exchanges and was finally set out as follows:<sup>2</sup>

Logistical support furnished Korean Truce Agencies is approved under the concept that such support is in furtherance of the U.S. military operation in Korea. Accordingly, fiscal and funding responsibility remains with the U.S. Service providing support subject to regular procedures.

<sup>1</sup> CINCFE message CX 63985, (DAIN 289807), 22 July 1953.

<sup>2</sup> U.S. Department of the Army message DA 951927, 5 November 1953.

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Settlement for logistical support from non-U.S. sources is considered to be the responsibility of the governments concerned.

As a consequence, U.S. support has been budgeted for or absorbed by the U.S. Army, Navy and Air Force over the 16 years that the Armistice has so far been in effect. For about the first half of that period detailed records were kept of support furnished by the U.S. Army in Korea. Details are also available for the transport costs of the Custodial Force India (CFI) and for airlift cost of the USAF during the first 6-9 months when the neutral nations personnel in large numbers were being delivered to and moved about the area.

By the time the truce was about 10 years old, the system had fully developed whereby the U.S. Services merely absorbed the costs of the reduced-size truce operation without maintaining or reporting details of those costs.

Costs to the U.S. Army during those first 10 years, attributable to the Armistice, were:

<u>U.S. Army Supplies</u>	<u>less Turn-in</u>	<u>U.S. Army Services</u>	<u>U.S. Army Total</u>
\$7,189,000	(\$1,716,000)	\$10,341,000	\$15,814,000

Over two-thirds of these costs (\$11.5 million) were incurred during 1953-1954, and of this amount some \$9 million, or about 88 percent of the two-year total was for the POW exchange operation.

Costs to the U.S. Air Force for airlifting the Neutral Nations Supervisory Commission (NNSC), Neutral Nations Repatriation Commission (NNRC), and Custodial Force India (CFI) personnel to Korea and for a few personnel and cargo lifts within Korea are known with any precision only for the first year of the truce. However, these data are significant since they cover the most active portion of the Armistice period, including the POW exchange:

## USAF Airlift Costs

(through 31 May 1954)

<u>Swiss</u>	<u>Swedes</u>	<u>Czechs</u>	<u>Poles</u>	<u>Indians</u>	<u>Total</u>
\$433,028	\$371,818	\$1,829	\$2,754	\$142,894	\$952,323



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All three U.S. Services as well as India and the U.K. were involved in the cost of the CFI movement:

Total cost of movement	\$2,617,057.39
Costs to India and U.K. (2 ships) reimbursed directly to India, one-half (\$947,100) by each side	\$1,894,200.00
Cost to U.S., one-half of which (\$361,428.69) was reimbursed by KPA/CPV in 1956.	\$ 722,857.39

## Breakdown of U.S. Costs as follows:

Sea transport (U.S. Ships Japan to Korea)	\$ 22,599.00
Rail transport (in Japan)	3,597.89
Rail transport (in Korea)	4,207.30
Air transport (USAF)	112,079.37
Helicopter airlift <sup>1</sup>	519,115.00
Commercial airlift <sup>2</sup>	42,162.40
Highway transport (Bus)	732.25
Transporting baggage	18,364.18
<b>TOTAL</b>	<b>\$722,857.39</b>

<sup>1</sup> Helicopter lift of the CFI from the decks of ships in Inchon harbor to the DMZ was required by the South Korean government's objection to the movement of Indian troops across South Korean territory. Both U.S. Army and U.S. Navy helicopters were employed. The Army costs were \$363,350 to move 4,618 troops. The Navy charged \$119,430 and moved 1,533 troops. The rate in both cases was \$300 per helicopter hour. When the POW exchange operation was concluded, South Korea felt better about the situation and allowed the CFI to move overland to the port.

<sup>2</sup> Includes round trips Delhi-Tokyo-Delhi for military officers (6) and External Affairs personnel (14) in Aug-Sept 1953 to liaise with CINCUNC on the CFI operation. Also includes an Indian air line Charter flight (\$24,522.40) for the CFI advance party of Generals Thimayya and Thorat with 56 staff officers.

An accounting for the CFI transport costs was presented to the KPA/CPV Secretary at the 136th Secretaries' meeting on 4 August 1955.<sup>1</sup> The communist side was queried again about the matter at the 143rd meeting on 18 October 1955. At the 146th meeting on 10 January 1956 the KPA/CPV side agreed to pay half and at the 150th meeting on 11 February 1956 presented draft No. 540367 on the Union Bank of Switzerland, Zurich, by the Bank of China, Peking, for 1,548,721.94 Swiss Francs (converted at 4.258 to the dollar) in full payment of their one-half share.

Other U.S. Support for the NNRC/CFI consisted mainly of fully equipped and supplied camps for over half of the CFI and for the approximately 22,000 POWs to be processed in the south part of the DMZ. A completely staffed hospital to care for the POWs under Indian supervision also was provided. Medical care for the CFI itself was furnished by the Indian field hospital which had been in South Korea during the war. Transport provided by UNC for the CFI included 3 sedans, 35 jeeps, 40 2½-ton trucks, 1 4-ton truck and 2 500-gallon water trailers. A special beef-free ration for the CFI was worked out between Indian and U.S. experts in Tokyo based on the proportions of 4-1-1 for mutton, fish and fowl. Post Exchange supplies were purchased in bulk for Military Payment Certificates and distributed within the CFI by the Indians.

The CFI commander shortly after arrival requested UNC to provide the force with "training ammunition." The requirement was for British type calibers and included pistol and rifle ammunition, grenades and 2-inch and 3-inch mortar rounds. The requested ammunition was imported in October 1953 and the excess, upon departure of the CFI in February 1954, was exported, with both operations reported to the MAC and performed under supervision of the Neutral Nations Inspection Team (NNIT) at Pusan.<sup>2</sup>

<sup>1</sup> The U.S. had been trying for several months to get the CFI movement cost data together for presentation to the KPA/CPV, hoping to take advantage of the climate of the Geneva Conference. There was concern that the communist side would reject the high-cost helicopter lift item or would attempt to pay in unacceptable currency. The main delay was in obtaining cost data from India.

<sup>2</sup> Secretaries meeting 84 of 30 October 1953 and 104 of 6 February 1954. By paragraph 2 of the NNRC Agreement, arms of the CFI were limited to "military police type small arms."

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As it worked out with the CFI, the UNC side ended up providing much more than a half share of its support. This was inevitable in view of the vast disproportion in the number of POWs held in the South. It also was an expected outcome since the CFI advance planning groups entered from the UNC side and did most of their initial arranging with UNC representatives with whose methods and language they were more familiar. At the 51st meeting of the Secretaries on 19 September 1953, however, the UNC Secretary charged the KPA/CPV side with not fulfilling its schedule of preparations for the CFI arrival and thus requiring the UNC side to make up the difference.

For further comments and evaluations on the Neutral Nations Repatriation Commission/Custodial Force India (NNRC/CFI) aspects of the Armistice see infra, p. 34).

U.S. support of the NNSC and its teams for the first 3 years of the Armistice was effective although it was frequently criticized by the Poles and Czechs.

United Nations Command/Military Armistice Commission (UNC/MAC) headquarters had a Neutral Nations Liaison Group headed by a U.S. colonel who consulted Neutral Nations Supervisory Commission (NNSC) senior delegates and their assistants frequently concerning their support requirements at the Commission headquarters in the DMZ. He made inspection visits at least monthly to the 5 fixed teams in the South. (Inchon, Taegu, Pusan, Kangnung and Kunsan were the ports of entry for South Korea established in paragraph 43 of the Armistice Agreement). Each of the 5 fixed teams had a U.S. major or lieutenant colonel assigned as full-time liaison officer. This individual was responsible and had the authority to call upon local U.S. commanders for all necessary support, as well as to assist the teams in their substantive work. Each Neutral Nations Inspection Team (NNIT) was provided living accommodations in its own compound. Each member of the NNIT, including the Poles and Czechs, was accorded full Post Exchange privileges. Vehicles and drivers were provided on a 24-hour per day basis. Radio and telephone communications to the commission headquarters or to any other location in South Korea were available. (The Polish and Czech members of the NNITs invariably maintained their own radio channel to their delegations at commission headquarters).

A regular weekly air service was maintained from Neutral Nations Supervisory Commission (NNSC) headquarters at Panmunjom to all teams in the south to rotate personnel and deliver mail and special national supplies.

U.S. medical service was provided to all members of the teams, although one or the other of the Pole/Czech delegations always had a doctor of their own assigned and the Swiss/Swedes usually did. A Swedish hospital, which had been assigned to the UN command throughout the war, was located near the team at Pusan and available for their use.

Subparagraph 13g of the Armistice Agreement charged each side, with respect to the Armistice agencies, to "afford full protection...all possible assistance and cooperation...and full convenience of movement." As it worked out in both the North and South, but undoubtedly for different reasons, "protection" of the inspection teams became a bone of contention since it interfered, or could be made to look as though it interfered, with the other listed requirements. Conditions in the South were such because of the displeasure of the South Korean Government with the Armistice, that the team members, particularly the Czechs and Poles, had to be escorted by armed guards at all times for their protection. Each of the 5 teams in South Korea required the full-time service of 30 or more military policemen with about 10 escort vehicles for this function. Whenever possible, team personnel or Neutral Nations Supervisory Commission (NNSC) inspection groups in the South were moved by military aircraft to reduce the chances of an incident. It was a common and well perfected technique of the Pole/Czech members, usually by last minute schedule changes, to disrupt escort arrangement to the point where there was either a lapse in security or a delay, either of which they could point to as a deliberate violation.

It might be well to note briefly here, for further evaluation in the final chapter, a few of the pitfalls that exist in the 2-sided, adversary NNSC system as illustrated by an examination of support arrangements.

THE UNC side was prepared and ready to cooperate with the Neutral Nations Supervisory Commission (NNSC) and its teams and NNSC teams and visiting groups were operating in South Korea weeks before such activity could be undertaken

in the North.<sup>1</sup> With these opportunities, and with an obvious deliberate intent to do so, the Pole/Czech members were able to load the NNSC and Military Armistice Commission (MAC) records early with complaints and accusations of non-support and harassment by the UNC side. Made-to-order incidents did occur. For examples see Annex E extracts of the following NNSC meeting summaries: 28th, 32nd, 36th, and 73rd.

Meanwhile, much less NNSC activity was underway in North Korea. Mild criticisms of support measures for the Northern teams, offered in a constructive manner by the Swiss/Swedes, were usually explained away by the Poles/Czechs. If the discrepancies were acknowledged, the Poles/Czechs always hastened to volunteer to handle them informally so that no written communication ever resulted.

By early 1954 when the Neutral Nations structure had about 6 months accumulated experience behind it, the patterns had been established. Despite the frustrations of the UNC side and of the Swiss and Swedish members of the Neutral Nations Supervisory Commission (NNSC) and its teams, very little could be done about it. At the 87th NNSC meeting on 15 January 1954, the Swedish member, General Mohn, summed up the situation at length, dwelling on the double standards being applied and on the complete inadequacy of the inspection system in the North. His full statement is attached as Annex F. The Swiss member, General Wacker, at the 107th NNSC meeting in February 1954 took his turn at evaluating the differences in the NNSC performance North and South. He illustrated his points with two simple charts which are attached as Annex G. In addition, Annex E is attached in which are recorded short extracts from early NNSC meeting summaries dealing with organizational, procedural and support arrangements. Note particularly the extract for the 37th meeting in which General Mohn's predecessor, General Grafstroem, had earlier commented on the problem.

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<sup>1</sup> A simplified description of the detailed procedures by which the UNC side, during the early period of the Armistice, assisted the NNSC machinery in checking its compliance with subparagraph 13d of the Agreement is at Annex D. South Korean authorities, of course, were not inclined to be cooperative with the Neutral Nation teams. While this created problems for travel arrangements and off-duty activities of the NNIT's, it did not seriously interfere with the checking of arrivals and departures at airfields and ports over which the U.S. generally exercised control.

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U.S. personnel costs, for direct participation or for directly supporting armistice agencies, are omitted in all the above data on U.S. support. To include such costs, even if they were available in all cases, would unbalance the data. Nevertheless for a complete understanding, it needs to be recognized that personnel costs exist and if chargeable in a peacekeeping or peace observation operation are a sizable portion of total costs. For a few examples:

(1) By early 1954 when the costs of U.S. Army goods and services for Armistice agencies totalled about \$10 million, the pay and allowances of U.S. Army personnel in positions on or directly supporting the Armistice agencies was almost \$1 million additional.

(2) Just in the United Nations Command/Military Armistice Commission (UNC/MAC) Panmunjom Headquarters in the single month of March 1954, after the big POW operation had ended, the following personnel costs could be distinguished:

<u>Function</u>	<u>Monthly Pay &amp; Allowance</u>
Senior Delegate and UNC/MAC Staff (28 officers, 1 warrant officer 48 enlisted)	\$28,700
DMZ Security Force (4 officers, 134 enlisted)	30,300
Neutral Nation Support Section (6 officers, 5 enlisted)	5,200
Secretariat (14 officers, 32 enlisted)	13,100
Displaced Civilian Committee Staff (4 officers, 5 enlisted)	<u>3,800</u>
TOTAL	\$81,100

2. Republic of Korea: The opposition of President Syngman Rhee to the Armistice and the troubles the U.S. had in convincing him to accept it are described briefly pp. 5-6 of Annex A. Thus, one is required to look at non-support items rather than support items, with respect to South Korean authorities and the Armistice machinery.

It will be recalled that Rhee's price for accepting the Armistice Agreement was:

1. Long-term U.S. economic aid,
2. A sixteen-power declaration to assist South Korea if there should be new aggression from the North,
3. A U.S.-South Korean mutual defense pact,
4. A deadline of 90 days for progress at the political conference.

He got them all. Immediately following the signing of the Armistice Agreement the U.S. Congress passed a \$200 million interim economic aid authorization. On 27 July 1953 the 16 nations of the UNC signed a "Joint Policy Declaration covering the Korean Armistice."<sup>1</sup> Secretary of State Dulles and Rhee initialed a mutual defense treaty on 7 August 1953 in Seoul which was approved by the Senate in early 1954 by a vote of 81 to 6 with the added stipulation that it did not imply U.S. support for military efforts by South Korea to bring about unification by force. Negotiations for holding the political conference envisaged in the Armistice Agreement broke down in December, 1953. The political conference on Korea which opened in Geneva on 26 April 1954 was doomed from the start, both by the intractability of the Korean problem as well as by the shifting of the spotlight of attention from Korea to Indochina. The Korean phase of the conference ended in early June in utter deadlock.

South Korean opposition to the Indians required the helicopter airlift expedient to bring them to the DMZ in September 1953. The added cost caused thereby was over one-half million dollars, half of which was borne by the U.S. and half eventually reimbursed to the U.S. by the communist side.

The opposition of the South Korean authorities to the whole Neutral Nation inspection system from the start complicated the problems for the UNC side of insuring necessary freedom of movement, with protection, for the teams. By the first anniversary of the Armistice Agreement in July 1954, the "lopsidedness" of the inspection system had become so

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<sup>1</sup> U.S. State Department, Joint Policy Declaration Covering the Korean Armistice, 27 July 1953, (Washington: GPO, 1953).



apparent to all that Rhee could take action against it. Coinciding with his trip to the U.S. where he addressed a joint session of the Congress on 28 July 1954, advocating what amounted to preventive war against communism, demonstrations against the Neutral Nations Inspection Teams (NNIT's) occurred in the southern ports of entry.<sup>1</sup> As a result, the freedom-of-movement/protection equation shifted further to the protection side.

South Korean representation on Armistice bodies has been minimal and this could be a point on which the UNC (read U.S.) might be criticized. Surely South Korea's contribution to and stake in the Korean War, taken together, were greater than any other participant on the South side. During the 2-year negotiating period, 4 U.S. officers and only 1 South Korean, whose status was hardly more than that of an observer, made up the UNC side. During the early armistice period the UNC/MAC side was generally 3 U.S., 1 South Korean and one other nationality from the UNC contingents. Not until more than 10 years after the armistice did the number of South Korean representatives equal or exceed the U.S. representation and, even then and today, the U.S. officer remained the senior spokesman. Similarly the UNC/MAC Secretary and Assistant Secretary have always been Americans. In recent years a South Korean representative has joined them at the table for meetings of the secretaries.

3. North Korea/Communist China: Jointly comprising one side of the military armistice, the Korean Peoples Army/Chinese Peoples Volunteers (KPA/CPV) can loosely be said to have organized and provided one-half the support, or support for one-half, of the Korean Armistice machinery in sort of a mirror image of the UNC side's performance. There were differences, but the 50-50 sharing pattern prevailed.

As sketched out previously, the KPA/CPV provided personnel for the Panmunjom headquarters and the Joint Observer Teams (JOT's) exactly equal to UNC, and constructed

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<sup>1</sup> Note also that riots, allegedly inspired, against armistice inspection teams occurred simultaneously in South Vietnam. See infra, p. 53.



half the facilities in the DMZ for the MAC, NNSC, NNRC and CFI. Each side, for example, erected and maintained half the 1,292 markers along the 150-mile long Military Demarcation Line (MDL).<sup>1</sup>

The KPA/CPV base camp for support of the armistice was at Kaesang and the Poles/Czechs of the Neutral Nations Supervisory Commission (NNSC) and Neutral Nations Repatriation Commission (NNRC) were, and in the case of the current small NNSC Pole/Czech group still are, provided accommodations there.

The fixed Neutral Nations Inspection Teams (NNITs) in the north were located at the 5 ports of entry specified in paragraph 43 of the agreement; viz, Sinuiju, Chongjin, Hungnam, Manpo and Sinanju.<sup>2</sup> All had airfields except Manpo which could be reached only by combined air and rail travel. The NNITs were dispatched from the DMZ to these locations on 12 August 1953 but regular weekly air service for their rotation and support was not established until early October.<sup>3</sup> Accommodations, food, transportation, communications, liaison and escort were provided by the KPA/CPV. Their adequacy can

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<sup>1</sup> MDL markers were fixed not more than 300 meters apart on curved segments and not more than 500 meters apart on straight segments, with each marker visible from the adjacent markers on either side. The side of the marker facing north was in Korean and Chinese; the side facing south in Korean and English.

<sup>2</sup> Early in 1955 NNITs were withdrawn from Chongjin and Hungnam, and the other 3 reduced 50 percent in size. In June 1956 the remaining teams were withdrawn.

<sup>3</sup> NNIT's for the South were also dispatched from Panmunjom to their fixed locations on 12 August 1953. Eight men for each team (2 per country) were moved simultaneously by U.S. helicopters. Their bulkier equipment and assistants were moved by rail on 20 August. Polish criticisms of the rail movement resulted in a formal letter of complaint from the NNSC to MAC on 21 August. UNC gave a unilateral response on 8 September. Many hours and countless words were expended over several months attempting, unsuccessfully, to arrive at an agreed MAC answer. This was one of the first instances of the Pole/Czech tactic, which later became obvious, of loading the record against the UN's side.

only be judged from the conflicting reports of the Poles/Czechs and the Swiss/Swedes which sound as though they were not describing the same place at all.

After a visit to Sinuiju in November 1953, Swedish General Grafstroem described the billets of the Swedish members of the team as resembling out-houses or cellars with broken windows, sagging doors, inadequate furnishings and ice-cold. He added that the liaison officer was unavailable when he asked to see him, the interpreter could not interpret, and the Swedish member's freedom of travel, even to meet the weekly airplane, was restricted.<sup>1</sup>

In an earlier intervention in September 1953, General Grafstroem also criticized the transportation and communications support for the northern teams. He pointed out that for each team to have 8 cars available was something of an illusion since it took 2 hours notice for any travel and that the radio reports from the north (generally all negative, in any case) were averaging from 9 to 49 hours for transmission to headquarters. By contrast, radio reports from the southern teams (nearly all substantive) averaged 2 to 7 hours for transmission.<sup>2</sup>

The Czech/Pole side in the Commission played down the complaints and suggested a letter of appreciation to the KPA/CPV for their efforts in supporting the northern teams.

As set out (supra, p. 17) the KPA/CPV paid \$947,100, or its equivalent, directly to India for that side's half share of the Indian/U.K. costs of the CFI movement, and reimbursed the U.S. \$361,428.69 in Swiss francs by a Bank of China draft for a half share of the U.S. costs. Other minor cash reimbursable costs to the KPA/CPV were for the identity cards for DMZ personnel of both sides and of the neutral nations and for the maps attached to the Armistice Agreement.<sup>3</sup>

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<sup>1</sup> See Annex E extract of 66th NNSC meeting.

<sup>2</sup> See Annex E extract of 37th NNSC meeting.

<sup>3</sup> It was very necessary for a single basic set of maps to be used. During staff officers meetings in laying out the MDI, it was discovered that the maps used by the two sides, both based on original Japanese mapping, varied as much as 7 seconds or 230 yards in the precise location of points.

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4. Swiss/Swedes: The support from the Swiss and the Swedes for the Korean armistice was most notably the provision of personnel for the Neutral Nations Supervisory Commission (NNSC) and its teams and for the United Nations Repatriation Commission (NNRC) for a few months.

Details are available for the Swedish manpower contribution over 15 years and presumably the Swiss contribution would have been of the same magnitude.

Swedish Participants Korean Armistice  
June 1953 - June 1968

Officers	225
Reserve officers	108
Noncommissioned officers	54
Reserve noncommissioned officers	5
Corporals	14
Privates	<u>260</u>
Total	666

The initial contingents from Switzerland and Sweden each numbered about 100 for the NNSC and its teams and about 50 for the NNRC for the 5 months during which that latter body operated.<sup>1</sup> The original NNSC contingents were reduced roughly 15% at the end of 1953, another 30% at the beginning of 1955 and a final 40% or more in mid-1956. From then until the present each of the Swiss/Swede NNSC delegations has numbered about 10 men or sometimes less: the senior delegate, an alternate, 1 to 3 other officers, perhaps a doctor, 1 or 2 cooks and 1 or 2 radio operators.

The Armistice Agreement (paragraph 37) specified that the NNSC would be composed of "4 senior officers," and that these "may be from the armed forces of the appointing nation,"

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<sup>1</sup> The initial Swiss/Swede delegations entered Korea by way of Tokyo. The advance elements for the NNSC were standing by in Tokyo in June of 1953. Fifty-one of the Swedes were flown from Germany to Japan, via the U.S. by the U.S. Military Air Transport Service (MATS). In addition to personal baggage, this group carried 7 tons of delegation equipment.

with alternates and assistants from the same four countries. Over the years it appears that not only the Swiss/Swedes but the Poles/Czechs have been represented rather heavily at the commission level, as distinct from the inspection teams, by diplomatic personnel. Although usually they bore military rank as brigadier or major generals while serving on the NNSC, their previous and subsequent posts were in their diplomatic services.<sup>1</sup> When the principal member was regular military, the alternate was normally diplomatic. One or more other officers serving in the delegation at NNSC headquarters was generally from his country's foreign service.

Even before the armistice was signed both countries had misgivings about how their role in it would work out. The Swiss, in an aide memoire of 14 April 1953, pointed out that the inspection provisions would not be effective and that a 2 to 2 vote would block decisions.<sup>2</sup> Their first month or two of experience with the machinery proved its inadequacy. Their repeated efforts in 1953-1955 to correct it were unavailing in view of the predictable Czech/Pole obstructions. Their efforts to abolish the Neutral Nations Supervisory Commission (NNSC) (14 April 1954 and 25 January 1955) ran into further Czech/Pole opposition and also flat rejection by the KPA/CPV side.

The Swiss/Swede experience in the NNSC was frustrating in the early years and has surely been thoroughly boring for the last 13 or so years. Each country continues to carry the burden of a "facade maintained only because of apprehension about the void that would occur if it were abolished."<sup>3</sup>

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<sup>1</sup> For examples: Sweden's first NNSC member, General Grafstroem, was later ambassador to Paris (where he was killed in a mysterious train mishap), one of his successors was the Swedish minister in Athens before coming to the NNSC in November 1954 as a major general. The Swiss NNSC member in late 1954 was officially addressed as "Minister." The Polish senior delegate in mid-1955 carried the title of "Minister."

<sup>2</sup> David W. Wainhouse, et al., International Peace Observation (Baltimore: Johns Hopkins Press, 1966), p. 347.

<sup>3</sup> Jacques Freymond, "Supervising Armistice Agreements: The Korean Experience," Foreign Affairs, Vol. 37 (April 1959), No. 3, p. 501.

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The U.S. continues to provide transport to and from Korea (either reimbursing for commercial air to Tokyo or via MATS). The Swiss/Swedes are accommodated as well as the area can provide and select their choice of foods from the best available. They have full privileges throughout South Korea and in all UNC installations and facilities. They also have free transport to and from Japan whenever desired, with local transport and accommodations also provided there. The 4 small neutral nations delegations lead an active social life among themselves and, alternately, with the KPA/CPV or UNC side. With national holidays and arrivals and departures, hardly a night in the week is not the occasion for a social event.

It is difficult even to try to place a price tag on the Swiss/Swede contribution to the Korean armistice but for a very rough estimate it might not be far off to calculate for each over the 16 year period:

<u>Total</u> <u>Personnel</u>	<u>Man Months</u> <u>(12 month tour)</u> <sup>1</sup>	<u>Monthly Pay and</u> <u>Allowances</u>	<u>Total</u>
700	8,400	\$800-\$1,000	\$7-\$8 million

On the same rough basis, U.S. support of the Swiss/Swedes over 16 years might be estimated for each:

700 round trips Europe-Korea @ \$2,000	\$1.4 million
Support at \$5 per day per man <sup>2</sup>	<u>1.2</u>
Total	\$2.6

5. Poles/Czechs: The initial Pole/Czech contingents for the Neutral Nations Supervisory Commission (NNSC) machinery were larger than those for the Swiss/Swedes

<sup>1</sup> The 12-months-tour figure may be too high. In the first contingents, some Swedish members who arrived in June were rotated home as early as late September 1953. Cases are known in the 1960's of tours of 8 months and tours of 2 years in the same contingent. The 12-months figure is a compromise.

<sup>2</sup> \$5-\$6 per man per day was a common figure for reimbursable support of contingents in UNC during the Korean War where a per capita formula, rather than an actual cost basis, was used (e.g. for Canada).

numbering about 140-150 personnel each, plus 50 for the Neutral Nations Repatriation Commission (NNRC) for 5 months.

They were flown in via the Soviet Union and were standing by just north of the Yalu River when the Armistice Agreement was signed on 27 July 1953.

Both delegations arrived in the area fully equipped for self-sufficiency in the field, with their own housekeeping equipment, vehicles and radios, with their own doctors, cooks, interpreters, clerks, radio operators and drivers.<sup>1</sup> They made the final approach from Pyongyang to Kaesong, their base camp near Panmunjom, overland in their own vehicles.

When the 10 Neutral Nations Inspection Teams (NNITs) moved to the 5 ports of entry in South Korea and the 5 ports of entry in North Korea on or about 12 August 1953, the Poles/Czechs took all of their equipment with them into South Korea. After about 2 months, all of the house-keeping equipment was returned to their base camp. Their large vehicle-mounted radio stations, however, were retained.<sup>2</sup>

The availability of efficient and private communication channels appears to have been a critically important factor in the effectiveness of the Pole/Czech side of each fixed and

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<sup>1</sup> Several of the Polish interpreters (for the English language) were young females (reportedly recruited on short-term contracts from universities and language institutes). Their presence on NNSC inspection groups touring South Korea created many difficulties for the U.S. liaison officers assigned to the NNITs or as escorts. Whatever special arrangements were made for their accommodations were always criticized and, in any case, never used; the Polish delegation always stayed together.

<sup>2</sup> At the 5th meeting of the NNSC on 5 August 1953, at Czech initiative, the right of each national group to have and use its own communications means was agreed and presented to representatives of UNC and KPA/CPV at a joint meeting on 6 August. On 8 August UNC agreed. At that meeting the Pole insisted that no jamming take place and emphasized that Polish radios were for Polish use, not the NNIT as a whole.



mobile inspection team and of their senior delegates at the commission headquarters. They almost always had the information first and a coordinated plan of action in hand, before the Swiss/Swede side had their first sketchy news of a developing issue through the common communications links.

Other advantages exploited by the Poles/Czechs to establish and maintain a tactical advantage over their Swiss/Swede colleagues were their longer tours of duty in the Neutral Nations Supervisory Commission (NNSC) structure and their greater numbers. Since they served tours generally stretching over a year, a greater continuity resulted and in any NNSC activity they could be expected to have 2 or 3 more representatives than the other side.

All members of the Czech delegation generally carried military titles but it is known that diplomatic service personnel were included. The Polish delegation always contained several members without military title. The senior delegates usually were major generals and frequently had "Dr." in their titles as well.<sup>1</sup> Both senior delegates appeared to defer to their alternates who had the title of Colonel and seemed to dominate the debate for the Pole/Czech side.

A reading of the NNSC meeting summaries demonstrates the skill and well-orchestrated tactics of the communist "neutrals." Their homework, preparation, presentations, obfuscations, histrionics and perseverance were professionally outstanding. Throughout the early years it would seem to have been the Polish delegation which set the pace and the Czech delegation which ably supported.

As will be seen in the chapter on the Indochina peace observation machinery (*infra*, p. 66), the Polish delegates on the 3 ICC's there applied many of the same tactics learned in Korea.

It is clearly obvious that as Communist states the Pole/Czech side could not have conceivably entertained any intention of being either neutral or objective. Their clear-cut aim was to apply the powers of the NNSC machinery to the disadvantage of the South and the advantage of the North, from the first day of operation.

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<sup>1</sup> e.g., NNSC 10 April 1958. Major General Dr. Leo Samet, Pole; Major General Dr. Oldrich Chyle, Czech.

The Pole/Czech side of the NNSC structure was reduced on the same order and schedule as indicated on supra, p. 27 for the Swiss/Swedes. During the sixties their delegations of 5 to 10 men each have also been sitting quietly at Kaesong along the DMZ doing very little. They do some travelling in North Korea for recreation and make stops in Russia (or, in early years, China) on the journey out and back. At least once (in 1965) they were taken on a UNC-sponsored tour of South Korea. They do not usually get a chance to visit Japan. They meet weekly with their Swiss/Swede colleagues for a few formal minutes and almost every night socially. They trade national delicacies that arrive by pouch on each side and cooperate on simple things.<sup>1</sup>

No data is available, of course, as to the costs for the Pole/Czech contingents or for its support by the KPA/CPV. Assuming a cost-of-living differential between the Poles/Czechs and the Swiss/Swedes and between KPA/CPV and UNC of maybe 50 per cent, some order of magnitude figures might be offered as a guess:

Cost of Poles/Czechs, (16 years) (each)	- \$3-4 million
Cost to KPA/CPV for support (each)	- \$1-2 million

Remembering that the Pole/Czech members of the inspection teams in the South, as well as the many Pole/Czech members of visiting teams and groups, were supported by UNC, it might also be reasonably safe to guess, on the same basis, that about \$100,000 was spent by the U.S. for their direct support.

6. India/U.K.: Military forces of the U.K. were an important component of the UNC during the Korean War and operated as a Commonwealth unit. After the Armistice Agreement a British officer, or occasionally an officer from another of the Commonwealth countries, was usually a member of the UNC 5-man delegation to the MAC.

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<sup>1</sup> The Poles and Czechs for the NNSC at Kaesong watch U.S. Armed Forces television on a U.S. TV set purchased at the Seoul PX. The Czech cook, a few years back, got his yeast from the Swiss/Swedes and provided Czech bread for both groups.



Two instances of specific direct U.K. support of the armistice machinery have already been mentioned: the use of 2 British ships for transport of the Custodial Force India (CFI) (supra, p. 17) and the provision from British sources of training ammunition for the CFI during their 5 months stay in Korea (supra, p. 18). No cost details are available for either case. The British ship costs were included within the overall Indian cost of \$1.9 million which was reimbursed by the 2 sides. The costs for British training ammunition expended by the CFI possibly was included within the \$1.9 million Indian costs; more likely it was written off in the accounts of U.S. reimbursable support for British forces in Korea during and following the war.

India's role in the Korean War, the peace negotiations and the early operation of the armistice was an interesting and important one. The interest and importance grows when comparisons are drawn with her role in the conflict in Southeast Asia and its peace observation bodies. (Infra, pp. 60-63.

Having gained her independence only in 1947, India pursued an active, highly principled international policy with emphasis on anticolonialism as a theme and the UN as the forum. But by late 1949, with the communist takeover of China and the Chinese invasion of Tibet in 1950, Indian policy became a lot more cautious.

When the war broke out in Korea on 25 June 1950 with the North Korean surprise attack, India "...voted down the line for collective security in the first week of the war."<sup>1</sup> She provided a non-combatant field hospital for the UN force. But her views soon changed after the UN Command regained and crossed the 38th Parallel and from then on Indian and U.S. approaches to the war increasingly diverged. Important Indian opinion came to see the war as a U.S.-guided threat to reopen the Chinese civil war which, in their view, would lead to general war. Ending the Korean war and seating Communist China in the UN Security Council became the Indian goals for a stable Asia.

Even before the very successful UN Inchon landing, (15 September 1950), India was trying to establish UN war

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<sup>1</sup> Ross N. Berkes and Mohinder S. Beli, The Diplomacy of India: Indian Foreign Policy in the United Nations (California:

objectives in such a way that peace proposals could be formulated. The time was not propitious. With the Chinese intervention in November 1950 and the consideration of the Korean problem in the General Assembly, Indian fears and efforts redoubled and came close to a "peace at any price" position. India's proposed 3-man UN committee to determine the basis for a satisfactory cease-fire was approved by an overwhelming vote but was a complete failure. By 1 February 1951, when the General Assembly branded Communist China an aggressor in Korea, there had "...emerged a complete polarity between India and the U.S., the kind of spoliative polarity in which each was and remained convinced that the other was not only wrong, but utterly wrong and even sinfully wrong."<sup>1</sup>

Nevertheless, when the UN General Assembly in late October 1952 considered U.S. proposals on the POW repatriation issue, it was an Indian compromise resolution, leaning towards the basic U.S. proposals, which was passed over communist objections and ultimately served as the foundation for the agreement.<sup>2</sup>

When the negotiators at Panmunjom had to pick a nation to furnish a large military force to take custody of prisoners refusing repatriation, and to have the controlling vote in the process, India was the one on which they could agree. Yet this POW issue involved "face" and prestige to an unusual degree and was the main problem on which the negotiations had deadlocked.<sup>3</sup>

India's direct contribution to the Korean armistice machinery was in the form of something over 5,000 men for 5-months' service in connection with prisoner repatriation. They arrived in Korea in September 1953, began their prisoner

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Stanford University Press, 1958), p. 106; actually the Indian Security Council delegate, in the absence of instructions, abstained on the resolution of 27 June 1950 recommending that UN members assist South Korea to repel the attack. Several days later India accepted the resolution.

<sup>1</sup> Berkes and Beli, op. cit., p. 122.

<sup>2</sup> See Annex A, p. 82.

<sup>3</sup> For further comment on India's role as an acceptable "bridge or balance" in peace negotiations or peace supervision between communist and non-communist opponents, including her role in Indochina, see infra, pp. 60 and 73-74.

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processing for the 22,600 UNC-held prisoners on 10 September and for the 359 KPA/CPV-held prisoners (including 23 Americans) on 20 September, turned all prisoners who had not chosen repatriation by that date back to the detaining side on 23 January 1954, and officially went "out of business" on 22 February 1954.<sup>1</sup>

<sup>1</sup> POW Statistics:

- A. OPERATION LITTLE SWITCH (sick and wounded)  
(Commenced 20 April 1953)  
Turned over by UNC - 6,670  
Turned over by KPA/CPV - 684 (including 149 Americans)
- B. South Korea Unilateral release of Non-Repat Prisoners (18 June 1953)  
Approximately - 25,000
- C. OPERATION BIG SWITCH (POW's desiring repatriation)  
(July-September 1953)  
Turned over by UNC - over 70,000  
Turned over by KPA/CPV - 3,597 Americans  
7,848 South Koreans  
1,312 Others  
3 Japanese houseboys
- D. Non-Repat (the NNRC/CFI Operation)  
(10 September 1953 - 23 January 1954)  
UNC held - 22,600  
KPA/CPV held - 359 (including 23 Americans)  
  
UNC-held choosing repatriation about 600 (4% of those who underwent explanation)  
  
KPA/CPV-held choosing repatriation 2 Americans  
7 South Koreans

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The Indian contingent for the NNRC/CFI operation consisted of the following:

	General Officers	Field Grade Officers	Company Grade Officers	Warrant Officers	Enlisted men	Total
Force Headquarters	3	39	39	38	592	711
Brigade Headquarters	1	3	7	6	158	175
4 Infantry Battalions (Total)		16	36	96	3,344	3,492
500 Bed General Hospital (with Field Ambulance)	—	<u>7</u>	<u>26</u>	<u>35</u>	<u>633</u>	<u>701</u>
TOTAL	4	65	108	175	4,727	5,079

Included within the Force Headquarters was a public information section of 7 officers, 15 soldiers and 6 accredited correspondents. The lieutenant colonel in charge of this section was in the planning group that arrived in Korea about 1 September even ahead of the advance party.

The senior Indian official and chairman of the NNRC was Lieutenant General K.S. Thimayya, who 12 years later in December 1965 died while serving as the commander of the UN Cyprus peacekeeping force. In 1953 General Thimayya was undoubtedly the most prestigious Indian officer who could have been found for this responsibility. A biographer, who was also a close friend, attests that the only instructions Thimayya received from Nehru on 18 August 1953 before going to Korea (via Tokyo) was "to maintain strict neutrality in both his official duties and his unofficial contacts."<sup>1</sup>

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<sup>1</sup> Humphrey Evans, Thimayya of India: A Soldier's Life (New York: Harcourt, Brace and Company, 1960), pp. 292-293.

Thimayya's reported observations on UNC officers and KPA/CPV officers, with whom he worked in Tokyo and Korea, are generally more favorable to the communist side. He also overruled the UNC side on a number of procedural matters (e.g. UNC objection to the presence of observer teams from the KPA/CPV side at the initial processing of UNC-held prisoners). Further, he recognized and resisted, as well as he could, efforts of the UNC-held Non-Repats to hold their fellow prisoners in line and to organize demonstrations against the KPA/CPV "explainers."<sup>1</sup> Nonetheless, it is easy to gather from accounts of Thimayya's experiences in Korea that the UN side's basic position against forcible repatriation was in line with his own thinking.

From an objective point of view, the Neutral Nations Repatriation Commission/Custodial Force India (NNRC/CFI) prisoner exchange operation was something less than a complete success. However, from the UNC viewpoint, it solved the problem quickly and clearly and did not violate the free-choice principle. Only 21 Americans disappeared back into North Korea. The KPA/CPV side were unhappy at the precipitous ending of the operation and the freeing of over 22,000 former communist-side soldiers to the Nationalist Chinese and to Syngman Rhee. They could save some "face," however, by arguing that the explanation process had been harassed by UNC agents and had not been completed. They could emphasize the 4% of their former soldiers who broke loose from the Non-Repatriation prisoner leaders and chose repatriation, ignoring the 96% who did not.

On supra, p. 17, the cost details for the Indian contingent were set out. This total cost, fully and equally reimbursed by the two sides, was \$2,617,057.39, of which \$1,894,200 were Indian and U.K. cost reimbursed directly to India. The figures bear some rough comparability to Indian costs for the much greater participation in the UN Congo operation in 1960-1964.<sup>2</sup> Between 5 and 6 times the Indian manpower was used in

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<sup>1</sup> Note his reported charge that the Americans were smuggling radio receivers into the POWs while under CFI control to keep them tightly organized against repatriation; Evans, op. cit., pp. 300-301.

<sup>2</sup> See the ONUC background paper pp. 297-298 and Annex N.

the Congo as in Korea, and their transport and local support were provided by the UN. Indian reimbursable charges for the Congo service were just over \$12 million or \$84 per man-month. Assuming in the case of the CFI in Korea, that transport costs for the 2 British ships would have been something less than \$400,000, the charge attributable to Indian costs for preparing and providing the contingent would be on the order of \$1.5 million or \$60 per man-month.

### III

#### SUPPORT ARRANGEMENTS FOR THE CONTROL AND SUPERVISORY MACHINERY FOR THE INDOCHINA AGREEMENTS OF 1954 AND 1962

An eight-year war, which started in 1946 when the French attempted to reestablish themselves in Indochina after the Japanese surrender, came to an end in a negotiated settlement reached at Geneva among 9 parties and other interested observers on 20-21 July 1954.

Unlike the Korean Armistice Agreement which was worked out during 2 long years of negotiation, the Indochinese agreements were whipped together in the matter of less than two weeks. Additionally, the Korean Agreement proclaimed in its own preamble that it was "intended to be purely military in character and to pertain solely to the belligerents in Korea." The Geneva settlement of the Indochina war, on the other hand, was a highly political one in which, like an iceberg, the part that showed was only a small part compared to the part that was hidden.

Finally, unlike the situation in Korea where the truce has held for 16 years despite open violation of the armistice provisions almost from the start, the 1954 settlement in Indochina was followed by renewed warfare in a matter of 5 years or so. A second attempt at Geneva in 1962 to reestablish the cease-fire in a part of Indochina (Laos) hardly provided any interruption of the fighting at all.

Because of the complications of the Geneva Agreements, as applied to 3 areas from 1954-1962, 2 of those areas beyond 1962 and with a special 1962 version applying in the 3rd area, an attempt has been made to provide a reasonably brief background account of the developing situation in Annex B attached, with a further treatment of the arms control aspects in Annex C.

A. TRUCE SUPERVISION MACHINERY<sup>1</sup>

(1) To carry out the military features of the cease-fire, regroupment and withdrawal of forces, removal of mines, recovery of bodies and release of prisoners of war (POWs) and detained civilians, the two signatories to each of the three Agreements established Joint Commissions (JC) with subordinate joint bodies as required, all with equal representation. The French High Command constituted one side in the case of Laos and Vietnam, but were not a party in the Cambodia Agreement. The Cambodian JC included about 20 representatives of the Vietminh. It was initially established at Svay Rieng and later moved to Banam to be nearer to the capital. It was disbanded in October 1954. The Laos JC was established at Khang Khay with subcommissions at Mahaxay and Pakse. It was disbanded in February 1955. The JC for Vietnam was established in North Vietnam, first at Phu Lo, later at Haiduong. It was a large organization with hundreds of personnel on each side, and took over from another joint military group, the Trung Gia Military Commission, which had been meeting during the Conference at Geneva. Subcommissions were set up at Ourjue Khe in North Vietnam, Quang Tri in Central Vietnam and Phung Hiep in South Vietnam, and in the Demilitarized Zone (DMZ) at the 17th parallel. The Vietnam JC and its subordinate groups ceased to operate in April 1956 with the French withdrawal from Vietnam and the refusal of the South Vietnamese formally to take over the French commitment.

(2) A 3-nation International Commission for Supervision and Control (ICC) was established for each of the 3 areas, consisting of India (as chairman), Canada and Poland.<sup>2</sup> These 3 nations were invited, in consultation with each other, to designate their representatives to the Commission. The invitation was extended by the British and Soviet Geneva Co-Chairmen in a message dated 21 July 1954. India and Poland had ample foreknowledge of the request; Canada was taken completely by surprise. A planning meeting was held in New Delhi

<sup>1</sup> See Annex B, pp. 89 - 91 for the military, arms control, political and supervisory and control features of the Agreements.

<sup>2</sup> See Annex B, p. 90 for further details on the ICC and particularly the footnote concerning difference in interpretation of the word "control."



1-7 August for the representatives of the 3 ICC nations, presided over by Krishna Menon (who had played an informal but active role at the Geneva Conference). Representatives of the 4 Indochinese areas and France attended the final planning meeting on 7 August. India's role as the administrator and supporter of the ICC, in addition to that of chairman, was agreed at the New Delhi meeting, as well as the decision that each of the ICC nations would pay the salaries and allowances for its own personnel.<sup>1</sup>

The 3 ICCs arrived officially in their areas on 11 August 1954 with a total strength for all 3 of just under 100 people. Strengths were built up gradually and reached peaks in 1955 and after of about 320 in ICC Cambodia, about 350 in Laos, and 1,000 or more in Vietnam. ICC headquarters were initially established in Phnom Penh and Vientiane, as prescribed in the Laos and Cambodia agreements, respectively, and, through ICC choice, at Hanoi in North Vietnam. A "second headquarters" for ICC Vietnam was set up in Saigon in December 1954. In April 1958 Saigon became the main headquarters and Hanoi the "second headquarters."

The Agreements specified the number of fixed teams each ICC would establish: 5 for Cambodia, 7 for Laos and 7 each for North and South Vietnam. The number of mobile teams was left for decision by each ICC, and such teams were initially established 4 for Cambodia, 5 for Laos and 28 for all of Vietnam. The ICCs for Cambodia and Vietnam have had continuous existence from 11 August 1954 to the present. The ICC in Laos, when requested by the Laotian government to cease operations, adjourned sine die in July 1958, over the objection of the Polish Commissioner. It was reactivated in May 1961 as one step in convening the 1961-1962 Geneva Conference on Laos.

By 1957 action to reduce the size and costs of the ICCs was begun. These reductions have continued so that by mid-1969:

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<sup>1</sup> The requirement that the ICC nations pay their own salaries and allowances was stated explicitly in the 1962 Laos Agreement (article 18a of the Protocol).



(a) ICC/Vietnam had no teams active in either North or South Vietnam, the entire organization was in Saigon (Secretariat--20 Indians and about 100 local employees, Indian delegation - 23, Canadian delegation - 33, Polish delegation - 41) with the "second headquarters" in Hanoi staffed by about 4 people from each delegation on short tours from Saigon.

(b) ICC/Cambodia which had been manned on a token basis during most of the period from 1956 to 1965, became somewhat more active for several years after 1965, becoming involved in Cambodia's border problems. Its 3 delegations now number about 7-10 each.<sup>1</sup>

(c) ICC/Laos still sits in Vientiane with its 3 delegations each in the 15-25 people range.<sup>2</sup>

#### B. SUPPORT ARRANGEMENTS

The 1954 Agreements required the parties to provide full protection and all possible assistance and cooperation to the Joint Commissions and to the ICCs and their teams who were to have "at their disposal such modern means of transport, observation and communication as they may require."<sup>3</sup>

(1) Financial (1954) - In the Vietnamese (Article 26) and Laotian (Article 21) Agreements, it was simply stated that the two parties would share all costs of the ICC operation. The Cambodian Agreement referred only to the equal sharing by the two parties of the Joint Commission (JC) costs (Article 30).

As the Geneva Conference drew to a close on 21 July 1954, the U.K. Co-Chairman referred to the absence of clear arrangements for financing the ICC operations. He volunteered the

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1 In late 1969 there were indications that Canada would withdraw its personnel from the ICCs in Cambodia and Laos, retaining about 35 people with the ICC in Vietnam. Canada would continue to function in the ICCs in Cambodia and Laos, when required, by detailing people from Saigon. The causes for the Canadian retrenchment were said to be economics. Washington Post, "Canada to Curtail Role in Truce Unit," 22 October 1969, p. A19.

2 Ibid.

3 See for example, Articles 25 and 35, Vietnamese Agreement.

services of the Co-Chairmen for working out proposals to meet this omission. It took almost 2 years before all the details were agreed. These arrangements are still in effect for the ICCs in Vietnam and Cambodia. A somewhat different system, to be explained later, was applied to ICC Laos in the 1962 Geneva Agreement.

The basic cost arrangements for the 3 ICCs as established in 1954 were as follows:

Supervisory Power:

Canada	pay and allowances
India	of their ICC
Poland	delegations

Parties:

France (as a "party" for Vietnam and Laos)	
Cambodia (as a "party" for Cambodia)	all "local expenses." <sup>1</sup>
North Vietnam (as a "party" for all 3)	

Others:

France (not as a "party")	
China	all "other expenses." <sup>2</sup>
U.K.	
USSR	

The funds contributed by the parties, as well as by the 4 major Geneva Powers (France was in both categories), were maintained in a "Common Pool" administered by the Secretariats of each Commission.

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<sup>1</sup> "Local Expenses" include living and working accommodations, pay of locally-hired personnel, in-country commercial travel and communications, and medical and dental treatment.

<sup>2</sup> "Other expenses" include pay and allowance of Secretariat personnel (mostly Indian), food costs, maintenance and replacement of ICC vehicles, travel costs to and from the area, communications (other than in-country commercial), office supplies and equipment. The U.S. was asked to be a contributor to this "common pool" but declined.

In practice, these arrangements for sharing cost have not worked out and the Commissions have consistently been in debt.

In December 1956, after withdrawal of the French High Command from Indochina, the French National Assembly voted not to allow further funds for the 3 ICCs' "local expenses" and tried to obtain a refund of certain claimed over-payments to the common pool for "other expenses." Hanoi has not paid its share, nor has China since 1962-1963. Through funds temporarily advanced by India, use of the French over-payments and stalling its creditors, the ICCs have managed to carry on, but from 1957 onward were steadily reduced in size. By 1960 ICC Vietnam, for instance, had reduced its costs by about 45 percent from the 1955-1957 level.<sup>1</sup>

The creditors most easy to stall, of course, are the Supervisory Powers, probably most especially Canada.<sup>2</sup> In addition to paying the salaries and allowances of its ICC personnel (about 1,500 people and \$13 million since 1954), Canada has also contributed certain equipment for its delegation. Canada, in addition, had paid and then sought reimbursement for such "other expenses" costs as travel to and from Canada. Between 1954 and 1967, these recoverable costs totaled \$5.1 million. However, only \$2.9 million has been recovered from the ICCs, and none at all before 1957 or since 1963. The Commissions, thus, as of mid-1968 owed Canada altogether almost \$2.3 million.<sup>3</sup> Canadian absorbed costs have averaged \$1 million a year over the 13 years 1954 to 1967, plus about \$220,000 each year in non-recovered "other expenses" costs.

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<sup>1</sup> Great Britain, Eleventh Interim Report of the International Commission for Supervision and Control in Vietnam, 1 February 1960-28 February 1961, Vietnam No. 1, Cmd. 1551, 1961, p. 5.

<sup>2</sup> Note that in UN operations (e.g. UNFICYP) in financial difficulties, contingent contributors are usually required to bear the extra costs when the funds run out.

<sup>3</sup> Data on Canadian ICC costs through the cooperation of officers of the Department of External Affairs, Ottawa.

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Overall cost data on the ICCs in Indochina have never been published. From "bits and pieces" that have appeared in some of the ICC reports and in other documentation it is possible to work up a very rough approximation so as to permit some comparison with other operations:

<u>Estimated costs (millions):</u>		<u>Years</u>	<u>Total</u>
ICC/Vietnam	\$3.0 per year	15	\$45.0
ICC/Cambodia	\$ .2 per year	15	3.0
ICC/Laos	<u>\$2.5 per year</u>	12	<u>30.0</u>
Total	\$5.7		\$78.0
<u>Plus Payed Allowances Absorbed (millions)</u>			
by Canada			\$17.0
by India			10.0
by Poland			<u>12.0</u>
Total			\$39.0
<u>Total 15 year costs (millions)</u>			\$117.0

Of the costs not absorbed by the supervisory powers, it should not be far off to assume that about one-third was provided each by France, the U.K. and the Soviet Union with France's extra payments "as a party" in the early years giving France something of an additional share. On this assumption, roughly \$25 million would represent the U.K. and Soviet shares and about \$28 million the French share. Additional costs born by North Vietnam and Communist China, in the early years, and by Cambodia, added to contributions by the U.S. and others specifically for ICC/Laos after 1962 (see below), might raise the total to the rounded figure of \$120 million for all 3 ICCs from 1954 through 1969.

(2) Financial (1962) - For the Laotian 1962 settlement, financial arrangements were included in the agreement (Article 18) as follows:

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Canada		Pay and allowances of their
India		ICC/Laos delegation "and its
Poland		subsidiary organs" <sup>1</sup>
Laos		Accommodations and "appropriate"
		local services
China	17.6%	"Common pool" for local services <u>not</u> provided by Laos, and "all other capital or running expenses."
France	17.6%	
USSR	17.6%	
U.S.	17.6%	
U.K.	17.6%	
Burma	1.5%	
Cambodia	1.5%	
North Vietnam	1.5%	
Laos	1.5%	
South Vietnam	1.5%	
Thailand	1.5%	
Canada	1.0%	
India	1.0%	
Poland	1.0%	

As with the 1954 Agreements, the provisions for financing the ICC in Laos after 1962 have not worked out as planned. Communist China ceased contributing in 1963 and Hanoi never contributed. Laos provided little or nothing in the way of free accommodations or local services. The minor countries of the 1962 Geneva Conference have made only partial (and late) contributions and the ICC Supervisory Powers write off part of their contributions against their unreimbursed claims on the Commission. Accordingly, the U.S., USSR, France and the U.K. have borne the heaviest cash contribution load, each contributing about \$2.0 to \$2.4 million for ICC Laos since 1962.<sup>2</sup> Even so, the account is seriously in deficit. By

<sup>1</sup> "Subsidiary organs" presumably was interpreted to include ICC teams, but not the ICC Secretariat whose pay and allowances were borne by the "common pool." This appears to be true for all ICCs since 1954. A cash allowance for food is paid all ICC/Laos personnel from Commission funds.

<sup>2</sup> France up to mid-1969 had been the most generous of the 4 contributing great powers, exceeding its 17.6% share

mid-1969 ICC Laos overall owed about \$800,000 to various local creditors and about \$1.4 million to the 3 supervisory powers.

(3) Logistic - The above 2 sections on financial arrangements, while they indicate the planned source of funds for various support activities, do not necessarily indicate the source of the actual logistical support, i.e. the goods or services.

In all 3 of the 1954 Agreements and in the 1962 Laotian Agreement basic responsibility for the actual provision of most necessary support rested with the parties, although the cost of such support might be met from other sources. Thus, the already somewhat complicated situation in 1954 whereby France was a responsible party for two agreements as well as a fund contributor to all three was complicated even further after the 1956 French withdrawal. South Vietnam assumed de facto status as a party responsible for logistical support but not for the fund contributions expected from a party. France was still expected to carry that responsibility.

Thus, in the 1954 arrangements, for example, the logistically responsible parties were required to provide, maintain, operate and replace land, sea and air vehicles required for the ICC functions (and could be cited for an agreement violation if they failed to do so). However, the costs of these items were borne by the 4-power contributions to the "common pool." Accommodations for ICC delegations and secretariat were provided by the parties and paid for from the parties' contributions to the "common pool."

The 1962 Laotian Agreement attempted to simplify logistical support in essential areas by allowing the Commission to go to "other sources" than the Laos government for support, and stating that "the means of communication and transport will be under the administrative control of the Commission," (Article 17).

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(\$2,249,765) by almost \$300,000; but there were indications France was holding up payments in June 1969. Russia has been the least generous of those who contribute, exceeding its 17.6% share by only about \$15,000. The U.S. and U.K. have exceeded their 17.6% shares by about \$173,000 and \$128,000, respectively. Communist China is the big offender, of course, still owing about \$1.7 million.

From a high of about \$275,000 per month in 1963, ICC Laos expenditures have dropped steadily over the years to about \$185,000 during 1965, \$125,000 during 1966, \$105,000 during 1967, \$80,000 during 1968 and about \$53,000 during 1969. Part of this reduction has been due to shrinkage in the size and activity level of the Commission; part is also the direct result of the lack of funds as reflected in the steadily growing outstanding debts of the Commission.

A rough breakdown of logistical categories into which these expenditures have fallen over the 7 years is as follows:

Salaries and allowances <sup>1</sup>	10%
Travel of ICC personnel to and from Laos	10%
Operation of air transportation	25%
Operation of surface transportation	5%
Accommodations	15%
Communications	3%
Food	25%
Miscellaneous (mainly freight)	7%
	100%

Interestingly, something over half of the current \$800,000 in unliquidated liabilities of ICC Laos would also fall in the operation of air transport category further inflating the share of that item. Included within this item over the years, and currently the largest delinquent account, is the ICC/Laos share of the courier flight operating between Hanoi, Saigon, Phnom Penh and Vientiane. The total cost of this charter service is estimated roughly at close to \$1 million per year.

On the other hand, the bulk of the \$1.4 million which the Commission owes the Supervisory Powers undoubtedly falls generally in the personnel support categories above (salaries, allowances, travel to and from, accommodations and food). These categories already comprise more than half of all expenditures and, if creditors were paid, would undoubtedly approach two-thirds of all costs.

Additional data on logistical support items will be included under each country in the following section on national support.

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<sup>1</sup> Slightly more than half for the Indian Secretariat personnel; slightly less than half for local employees.

C. NATIONAL SUPPORT

1. The Parties (France, Cambodia, Laos, South Vietnam, North Vietnam).

a. France - France was very weary of the war in Indochina by 1954 and was eager for a settlement. A final crippling blow to French will and pride was dealt by the defeat at Dien Bien Phu just the day preceding the opening of the Indochina phase of the Geneva Conference. France had few cards, indeed, to bargain with at the Conference. Extrication from Indochina was thought necessary if France was to get her affairs in Europe and North Africa under some control. Arranging and supporting effective peace machinery for an Indochina, which large segments of French opinion were prepared to write off, would not have ranked very high on the list of French priorities.

Nevertheless, there was a need to salvage some of France's economic interests and to solace French national pride. Thus, somewhat pleasantly surprised at the lenient treatment she got at Geneva, France made some efforts to carry out a role. But determination was lacking and a really significant continuing French role in Indochina, particularly in South Vietnam, was no longer possible.

French actions affecting support of the Geneva Agreements were as follows:

(i) French forces in Vietnam carried out all the military features of disengagement and regrouping forces effectively, on schedule and in full cooperation with the former enemy. French ships, communications and airplanes were sometimes used to support both sides. In Cambodia and Laos French troops withdrew even to below the level authorized to be retained but largely ignored the control procedures of the Agreements.<sup>1</sup>

(ii) In the evacuation from the North to South Vietnam, French ships and planes transported 128,663 troops and 313,534 civilians (including military dependents and about 25,000 French nationals).

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<sup>1</sup> See Annex C, p. 113.



(iii) The French government established in Hanoi from September 1954 Jean Sainteny, a trusted friend of Ho Chi Minh, as its representative (General Delegate), hoping to renew and maintain French diplomatic and commercial ties with North Vietnam. Despite Sainteny's efforts and promises most French business interests, including many essential technicians, very shortly left North Vietnam for the South.

(iv) French forces in Indochina were steadily reduced from 140,000 in 1954 to about 70,000 by the end of 1955 and completely withdrawn (except from Laos) by August 1956, taking with them vast stores of weapons and military equipment-- although the withdrawal of neither the forces nor the weapons was required by the Geneva Agreements. These actions should have gone a long way towards removing all doubts about any possible renewal of hostilities by the non-communist sides.

(v) The French High Command (until its withdrawal in 1956) supplied all the air and most of the land and water transport for all 3 Commissions, charging the costs off as part of the French contribution. Early reports from the ICCs contain many complaints of shortages of transport and communications, adversely affecting the accomplishment of their mission. Towards the end of the French support phase, the ICCs were required to pay for the services of the French Liaison Mission, which arranged the support, at the rate of \$33,600 per month.<sup>1</sup>

(vi) The well-known ICC air courier service flying scheduled flights between the four Indochinese capitals was established initially by the French Air Force. The frequency of flights was greatly reduced after 1957. In 1969 flights operate no more frequently than every 10 days or so. The present operator is a French commercial firm known as CITCA. The plane generally used is a World War II propeller-driven Boeing Strato-Cruiser. The pilot, navigator and stewardess are French. The firm usually has three planes to call on, including DC-3's. The service has cost the 3 ICCs almost \$1 million per year. They are delinquent in their payments.

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<sup>1</sup> Great Britain, Fourth Interim Report of the International Commission for Supervision and Control in Laos, 17 May 1957-31 May 1958, Laos No. 1, Cmnd. 541, 1958, p. 24.

(vii) France over the 15 year period of the ICC's operation probably paid about \$28 million for their support.

(viii) For the seven years since 1962, France's contribution specifically to ICC Laos has been about the same as that of the U.S.--\$2.9 million or \$.3 million above its prescribed share of 17.6 per cent.

b. Cambodia - By standing up vigorously for her rights at Geneva, even threatening to extend the French deadline for agreement, Cambodia came away from the Conference in full control of her territory and people. The only restrictions were self-imposed and amounted to certain actions Cambodia would not take unless necessary. The French were not a party to the Agreement and soon got all their troops, except for instructors, out of the country. The other party, North Vietnam, had no border with Cambodia and, after the Joint Commission was abolished in October 1954, had no legal representation in the country.

By 1956 the Geneva machinery for Cambodia could easily have been dismantled, but Indian and Polish Commissioners showed a strong interest in keeping it in existence. The Cambodian government converted the ICC and Co-chairmen machinery to its own use by involving it where it could, or at least using it as a channel for publication, in Cambodia's troubles with her neighbors to the East and West, South Vietnam and Thailand. Both were old antagonists for Cambodia but neither was a party to the Cambodian cease-fire agreement.

Few details can be offered on the subject of Cambodian support for the ICC:

(i) Since Hanoi has never made any contribution, Cambodia carries the whole load for the "parties." As the only "party," it provides all accommodations, air and surface transport and other local services for the ICC. Because the ICC has been very small and quite inactive for many years, these requirements at present should be quite modest.

(ii) Because of a shortage of interpreters in the ICC, an official Cambodian government interpreter sometimes served the ICC teams on investigations.

(iii) Cambodia was fully cooperative in reporting all arms imports in the early years and offering them for ICC inspection.

(iv) Prince Sihanouk proposed the 14-nation formula for the reconvening of the 1961-62 Geneva Conference on Laos.

(v) As a member of the 1961-1962 Geneva Conference on Laos, Cambodia has been billed for 1.5 per cent of the costs of ICC Laos for the past 7 years. By the end of June 1969, Cambodian contributions to this account totaled about \$175,000 which is about \$42,000 short of the assessed share.

c. Laos - A French general signed the Laotian Agreement of 1954, along with a representative of North Vietnam, and it was the French through their Embassy in Vientiane, the base at Seno and their Liaison Mission, who supported the cease-fire machinery for Laos in its early years.

By the spring of 1958, the coalition government of Laos began to break up with pro-West elements gaining ascendancy. The ICC was asked to leave and simultaneously (4 May 1958) the French Liaison Mission for logistical support was discontinued. In July the ICC adjourned sine die, and in February 1959 the Royal government declared all terms of the Geneva Agreement fulfilled and therefore no longer binding in Laos.

From that time until April 1961 and the reconvening of both the ICC in Laos and a second conference in Geneva, the political and military affairs of Laos were in absolute shambles. "Politics in any country is subject to the element of unpredictability. But between 1959 and 1961 little Laos was the despair of the ablest political pundits."<sup>1</sup>

Laotian efforts, supported by the U.S., to involve the UN were successful to the extent of getting a fact-finding mission and the "presence" of Secretary-General Hammarskjold in the fall of 1959, but had no lasting effect.

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<sup>1</sup> D. R. SarDesai, Indian Foreign Policy in Cambodia, Laos and Vietnam 1947-1964 (Berkeley: University of California Press, 1968), p. 222.

From the 1962 Laos agreement came the concept that the ICC should have control of its own transport and communications. However, except for 4 U.S. helicopters and a contract Beechcraft, most equipment for the ICC came from the Laotians or French on a reimbursable basis and without full control by the ICC:

(1) The Royal government furnished cars, drivers, staffed accommodations (originally hotels, later separate residences) and such other services as were locally available.<sup>1</sup> Presumably all Laotian support except for personnel of the Laotian military services was charged to the ICC account. As of August 1969, a Laotian doctor was taking care of the health of the 63 members of the ICC.

(11) In the 7 years since 1962, Laos has been billed for 1.5 per cent of the cost of the reconvened ICC/Laos, and has actually contributed about \$240,000 in the form of goods and services, or some \$20,000 more than her assessed share. It is probably true, in the cases of Laos and the 3 ICC supervisory powers (see below), that their excess contributions and perhaps part of their basic contributions are to a degree involuntary--resulting from the account's inability to pay its debts to them.

d. South Vietnam - Although it had registered opposition to almost all the main agreements reached at Geneva in 1954 and at the final session had formally reserved its position, the government of South Vietnam initially was reasonably cooperative with the ICC and its teams in South Vietnam.

There are a number of explanations for South Vietnam's initial cooperation and for its more or less complete disappearance a year or so after the cease-fire. For one thing, one of the main tasks of the ICC during the first year involved

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<sup>1</sup> One needs to remember that Laos is among the most underdeveloped of the underdeveloped countries. Vientiane is the only town over 20,000 population. In 1960 it had 2 hotels and 5 or 6 garages. The country had none of the basic infrastructure for development, lacking roads, communications, health or education services, and political stability. It has always been an uneconomical region good only as a buffer between various pairs of the 6 countries with which it shares borders, and historically, between the British and French empires in Asia.

the movement of refugees, as well as troops and dependents, between the two zones, with many more expected to move South than North. Since North Vietnam had a population edge of about 2 million over South Vietnam (14 million vs. 12 million), South Vietnam had every reason to facilitate the exchange. Further, for at least 8 months following Geneva, the instability of the government in the South and the dissension among its various sects and factions made any defense of the area against the North impossible. The protection of the Geneva machinery was South Vietnam's main defense.

So, while South Vietnam's Premier Ngo Dinh Diem called the Geneva Accords an "iniquity" and had flags flown at half staff for 3 days, he nonetheless sent a representative to the New Delhi planning meeting of the ICC and ordered full cooperation.

The initial relationship soured when, by the end of the period of South Vietnam's dependence on it, the ICC had fully demonstrated the "lopsidedness" in its approach to supervision and control of North and South. After July 1956, the date for the general elections envisaged by the Final Declaration at Geneva had passed, and after the departure from Vietnam of the French High Command in that same summer, Diem could be quite independent in his use or abuse of the ICC.

(i) In September 1954 the ICC was welcomed to Saigon personally by Diem with the promise of full cooperation.

(ii) Much of the French support for the ICC "Second Headquarters" in Saigon and its teams was actually carried out by South Vietnamese, particularly cars, drivers, accommodations, food supplies, servants, etc.

(iii) In July 1955, in the week leading to the first anniversary of Geneva, the government instigated anti-ICC riots in Saigon which ended in invasion of the ICC quarters and destruction of their property and cars (Canadian members were not molested). The government expressed mild regrets and made restitution.<sup>1</sup>

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<sup>1</sup> Similar rioting against armistice agencies was taking place in South Korea at the same time, supra, p. 24.



(iv) After the 1956 French withdrawal, the Diem government refused to accept succession to the French role as a party to the Geneva Accords and continued to reject those agreements. It accepted the ICC as "an agency working for peace" and established an organization to replace the French Liaison Mission to the ICC.<sup>1</sup> The Indian government and the ICC complained to the Co-chairmen about this "legal lacuna" which left ICC Vietnam "without any sanction for its working," but were not provided a solution.<sup>2</sup>

(v) For 3 years, before finally relenting in 1958, South Vietnam resisted the relocation of the main ICC headquarters from Hanoi to Saigon.

(vi) In the late 1960's, South Vietnam was providing quite well for the ICC in Saigon, considering that the commission has little to do. The 3 Commissioners and their senior deputies reside in a large compound in the east part of Saigon with the top 2 or 3 men of each delegation provided a fully staffed separate large villa, a driver and car. Junior officers and staff assistants share other villas in the same compound or live in hotels in downtown Saigon. Office accommodations are provided in a former French military camp with each delegation having 2 or 3 office and storage buildings. ICC-operated busses run between the living accommodations and the offices.

(vii) As a party to the 1962 agreement on Laos, South Vietnam has regularly been billed for its 1.5 per cent share. Up to June 1969, it has contributed about \$148,000 which is just under \$40,000 short of its quota.

e. North Vietnam - The generally accepted thesis today seems to be that North Vietnam, clearly winning the war in 1954 and capable of eventual complete military victory given no change in the forces on the other side, was coaxed or coerced by China and the Soviet Union into the Geneva negotiations. In those negotiations a certain amount of sleight-of-hand took place which was intended to give North

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<sup>1</sup> Mission Vietnamienne chargée des Relations avec la CIC.

<sup>2</sup> Great Britain, Documents Relating to British Involvement in the Indo-China Conflict, 1945-1965, Misc. No. 25, Cmd. 2834, 1965, Nos. 47, 48 and 50.

Vietnam, over about 2-years' time, the rewards of its military successes without triggering too drastic a U.S. response, or outraging French sensibilities, or reversing "peace offensives" underway in various areas.

The sleight-of-hand was too subtle by far for so complex a situation but it accomplished one of its immediate purposes: a cessation of hostilities--even if it turned out to be only a pause. For 5 or 6 years after Geneva, at least it now appears in retrospect, a rather higher level of peace existed than that to which the area was accustomed.

A number of major flaws in the Geneva concept are now apparent. Taken together they were massive flaws: underestimating the U.S. response, underestimating the prospects for consolidating a regime in the South and, especially, overestimating the willingness and ability of the French to maintain themselves for a sufficient period of time in some measure of effective control in South Vietnam. On this last point, the North Vietnamese would seem to have outsmarted themselves. For the glory of being the only Indochinese entity to sign a victory settlement over the French colonial masters, they neglected to bind the "puppet" regime in the South and to provide, even technically, for a valid treaty situation after a French withdrawal.

The North Vietnamese honeymoon with the ICC lasted until 1958, although there were occasional disagreements. From the first, members of the ICC were cordially treated and provided with the best accommodations (Metropole Hotel), transport (Russian jeeps) and services available in North Vietnam. At times they were not permitted to carry out inspections which would have embarrassed the authorities in the North but the tactics employed were such as not to evoke charges of violation. In any case, the Polish members of the ICCs and its teams could forestall any strong criticism and the Indian chairmen were usually inclined to be charitable. As in Korea, the very workable device of loading the ICC machinery from the start with more charges against the South than it could possibly handle served both to focus the attention of the Commission and insure a favorable position in ICC reports.<sup>1</sup>

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<sup>1</sup> Supra, p. 21.

In and following 1958, several ICC majority decisions by India and Canada favorable to South Vietnam (increase in the strength of the U.S. MAAG, blanket credit for French arms exports from South Vietnam, anti-subversion law), turned North Vietnam against the ICC and especially against the Indian chairman. Efforts to go over the heads of the ICC to the Co-chairmen for a reversal of these "erroneous" decisions were unsuccessful.

For a while the Sino-Soviet split afforded Ho Chi Minh a chance to maneuver between them and press both for increased assistance. According to P.J. Honey, however, his position became untenable when in August 1963 the Soviets demanded he sign and the Chinese demanded he not sign the partial nuclear test-ban treaty. Ho took the Chinese course.<sup>1</sup>

(i) North Vietnam support of the ICC and its teams north of the 17th Parallel was adequate and correct. Nevertheless, teams in the North were rarely able to travel to observe alleged or suspected violations.

(ii) Since 1965 only a small detachment of the ICC remains in Hanoi. There are no teams. Each delegation maintains about 4 people there with a small secretariat/signal group, all on temporary duty from Saigon. They live in government-provided villas and have offices in the same buildings. Servants and food are furnished, including one-half bottle of wine or 2 cans of beer per day. Several ancient cars with drivers are provided for transport. Although apparently free to move about, the ICC members, in fact, play a sort of game trying to determine which of the many vehicle checkpoints will pass their cars or call them back.

(iii) North Vietnam failed to contribute "as a party" to the common pools for the 3 1954 ICCs.

(iv) North Vietnam was one of 14 parties at the 1961-1962 Conference on Laos and is assessed at the 1.5 per cent level. No contributions have been made to the account and North Vietnam is on the books as owing about \$192,000 as of June 1969.

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<sup>1</sup> P.J. Honey, "The Outlook in Indo China," China and the Peace of Asia, Alastair Buchan (ed.) (London: Chatto and Windus, 1965), p. 143.



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(i) The support chores that have fallen to the British as Co-chairman, while routine, have been necessary ones. They include the publication and wide distribution as Command Papers of some 3 dozen reports from the ICCs, review of financial accounts and the soliciting of funds from reluctant contributors.

(ii) In September 1954, during the evacuation of persons wishing to leave North Vietnam, the Royal Navy aircraft carrier Warrior made two trips carrying such people to South Vietnam.

(iii) In 1961 a British Advisory Mission ("Thompson Mission") was sent to South Vietnam, at that government's request, to advise on police functions. It was a civilian mission of 4 professional civil servants plus supporting staff. Its budget for one year's operation was \$325,000.

(iv) The British have maintained Embassies in Saigon, Vientiane and Phnom Penh (the last was wrecked during a riot in March 1964 as was the U.S. Embassy), and a Consulate in Hanoi since 1954 and have used this representation whenever possible to further the efforts of the ICCs. In Laos in 1963-1964, for example, the ICC was almost always accompanied on inspections by the British and Soviet Ambassadors.<sup>1</sup> After the major U.S. buildup in South Vietnam in 1965, and with the Co-chairman not functioning, the U.K. turned to other efforts to calm the situation: continued calls for an international conference, the peace-mission of Patrick Gordon Walker in April 1965 and a proposed Commonwealth Mission later in 1965.

(v) Based on the rough estimate of overall ICC costs set out on supra, p. 44, it could be estimated that the U.K. since 1954 has contributed about \$25 million to the common pool for support of the 3 ICCs.

(vi) From 1962 to June 1969 the U.K. has contributed some \$2.7 mil. specifically for support of ICC Laos or about \$128,000 more than its 17.6 per cent quota.

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<sup>1</sup> SarDesai, op. cit., p. 240.

b. The Soviet Union - The Soviets seem to have assumed that Indochina in 1954 fell within the orbit of Communist China. Their role, therefore, was one of rendering support while exerting enough control to insure that they would not be dragged into a major war by their Asian ally. An all-out confrontation between China and the U.S. was a development to be avoided.

Soviet positions on issues at Geneva were fully consistent with Soviet views in other comparable situations: no separation of political and military matters, the need to reach a substantive settlement before discussing verification or control measures, preference for unverified broad commitments, and no control system without a veto or its equivalent. They achieved their goals generally, although the troika control system, with some possibilities of action by majority vote, might have represented a small concession.

At the 1961-1962 Conference on Laos, the Soviets saw to it that the ICC, despite some cosmetic dressing up, was in fact weakened while the Co-chairmanship was strengthened. In practice in Laos, communist negotiators invoked a second troika, the 3-sided coalition Laotian government, to make sure the ICC troika was well boxed in.

(i) The Soviet performance as Co-chairman during and following the 1954 Conference was totally devoid of any semblance of objectivity.

(ii) As in similar situations the Soviets used the tactics of loading the public record, getting its view on the record first, orchestrating responses from other communist countries and willing neutrals, and, in one case at least, publishing a draft Co-chairmen message without the concurrence of the British Co-chairman.<sup>1</sup> (The British recouped by publishing the entire exchange of correspondence).

(iii) In a Moscow broadcast 26 July 1954 the Soviets threatened to quit as Co-chairman over the situation in Laos.

(iv) Based upon the rough estimation of overall ICC costs set out on supra, p. 44, it is estimated that the Soviet Union has since 1954 contributed about \$25 million to the common pool for the support of the 3 ICC's.

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<sup>1</sup> Document, Cmnd. 2834, op. cit., No. 123.

(v) Soviet contributions for the reconvened ICC Laos from 1961 to June 1969 have totaled \$2.6 million or some \$15,000 more than her 17.6 per cent assessment.

3. The Supervisory Powers (India, Canada, Poland)

a. India - The significant role played by India in the Korean War and its cease-fire arrangements has been noted supra pp. 32-37. Indian influence in the Southeast Asian situation since World War II, to include the Geneva Conferences and what came from them, has been much greater yet. But the Indian approach has shifted over the period involved and can usefully be briefly examined in blocks of time:

Before Geneva - From independence in 1947, Indian policy seemed to develop a curious blend of hard-nosed realism over such issues as Kashmir and French and Portuguese possessions in India and a richly philosophical interpretation of global affairs. Two features of the philosophical conception stood out: peace being contagious, security should be sought through peace, not peace through security; and between the two blocs grouped about the super-powers, India could play the balancing or bridging role.

Indochina, leading up to Geneva in 1954, offered an excellent test case for Indian policy and philosophy.

In 1946 a representative of Ho Chi Minh visited New Delhi seeking support for his cause and attempting to block French purchases in India as well as overflight, refueling and repair privileges for French airplanes and ships in India.

In February 1947, India went part way by prohibiting flights of French operational and combat aircraft over India.

The communist take-over in China in 1949 and the shift of Ho's Vietminh further from nationalism towards communism cooled Indian enthusiasm a bit but made the seeking of an end to the war in Indochina even more urgent. Nehru proposed a 6-point solution which was revised at a meeting of the Colombo powers shortly before the Geneva Conference took up Indochina. In April-June 1954 India and China reached agreement over Tibet based on the "5 principles of peaceful co-existence," which Nehru saw as a pattern to be followed by the rest of the world.

Geneva Conference - India was not a party at the 1954 Geneva Conference. The U.S. opposed her inclusion. The U.K. wanted India both in the Conference and in the planning for SEATO.<sup>1</sup> However, an Indian representative, Krishna Menon, was in attendance at Geneva throughout the Conference and was a strong influence behind the scenes.

More interested, for historical and cultural reasons, in Cambodia and Laos than in Vietnam (the reverse of relative U.S. interests), India was instrumental in securing the basic understanding that those two lesser countries would be effectively neutralized, removing a possible point of future contention between the U.S. and China.

From a position as "outcast" at Geneva in 1954, India emerged as the custodian of the supervisory machinery for carrying out the settlement.

After Geneva 1954 - India's heady intoxication with the Indochina settlement lasted for several years. Seemingly much more concerned with means than with ends and content to apply double standards where necessary to disguise situations falling far out of balance, Indian ICC chairmen continued to play the bridging role by seeking unanimity and ignoring issues. It could be said that India, rather than supervising the Geneva Agreements in the ICC, was to a much greater degree attempting to use that device for carrying out overall Indian global aims and policies.

From a high spot for Indian enthusiasm at the Bandung Conference of 1955, where Nehru and Chou En-lai shared the limelight, things began gradually to go down hill.

From October 1957 onward the Indian government began to receive intelligence reports of Chinese intrusions into Indian territory, and on 28 August 1959, Nehru told Parliament of Chinese road building in Ladakh. These intrusions continued until armed conflict broke out in late 1962.

India attitudes in the ICC's changed after the troubles started on her Chinese borders, but also after North Vietnamese support of subversion in South Vietnam became glaringly obvious.

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<sup>1</sup> SarDesai, op. cit., p. 39.



In 1960-1961 the Indian Commissioner in Vietnam voted with his Canadian colleague on all major issues. On the other hand, India pressed for a reactivation of ICC Laos during this same period when this action was sought by the communists over the Western side's opposition (including Canada's opposition).

At the second Geneva Conference, India (represented by the same Krishna Menon) was a party, and the reconvening of the ICC under continued Indian chairmanship was not opposed by either side.

Indian support contributions to the Indochina peace machinery include the following:

(i) In addition to providing one of the 3 delegations for each ICC, India has provided and managed the secretariat and the communications systems (an Indian Army signals unit). The Indian Commissioner is the chairman of each ICC and its Secretary General, Indian team members chair the teams, an Indian heads the logistics committee and an Indian has always been Deputy Secretary General for Administration at each ICC. At near their peak strength in 1955, the three (Indian, Canadian, Polish) national delegations for all ICCs numbered about 160-170 each, while the Indian personnel of the 3 Secretariats (including signals) totaled slightly over 900. By late 1969 the total of the Indians in the 3 Secretariats had dropped to about 125, while the total of each national delegation for all 3 commissions was 50-60. Although exact strength figures have not been published, a rough estimate of India's manpower contribution for the 3 ICCs over 15 years might be: Indian Delegations 1,500 man-years, Indian personnel for the Secretariats (including signals) 7,500 man-years.

(ii) The Indian government provides accounting officers for each ICC, manages the funds and "passes the begging bowl" among the contributors. The Chief Accounting Office for the entire operation is in Saigon. New Delhi serves as a channel of communication for the ICC as well as for the Polish and Canadian delegations to their home governments.

(iii) India advanced \$200,000 in 1961 to get ICC Laos underway again.

(iv) Note should be taken in passing, of the importance of the Indian mercantile class in all 3 countries of Indochina. In 1957 special trade relations were arranged between South Vietnam and India in India's favor resulting in a several-fold increase in trade.<sup>1</sup> Note should also be taken of the offer of an Indian military training mission for Cambodia (page 114, Annex C), which both indicates India's strong concern for that country as well as raising a question of propriety. Note should also be taken, with due discount, of the view expressed informally by non-Indian ICC participants and observers that the Indian secretariat was both over-large and over-paid for the services it performed, many of which seemed more proper for the Indian delegation.<sup>2</sup>

(v) India's participation in the 3 ICCs for 15 years has probably cost in absorbed salaries and allowances a total of about \$10 million. The pay and allowances of Indian personnel on the Secretariat has not been absorbed by India but reimbursed from the "common pool."

(vi) As a contributor at the 1 per cent level for ICC Laos since 1961, India has provided just over \$450,000 or almost \$270,000 more than its quota as of June 1969.

b. Canada<sup>3</sup> - Unlike India and Poland, who were on all the early lists of likely supervisory powers, Canada was a last minute choice at Geneva. Reportedly, the government in Ottawa first heard of its new, novel and unwanted task from newspaper accounts. With no strong interest in that part of the world, lacking personnel in its forces and foreign office with much in the way of relevant experience, and vaguely aware that similar arrangements in Korea were working out badly, Canada was very reluctant to get involved.

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<sup>1</sup> SarDesai, op. cit., p. 109.

<sup>2</sup> Criticism of the size, pay scale and effectiveness of secretariats is so common in peacekeeping operations that its absence would be surprising.

<sup>3</sup> Data on Canadian ICC costs through the cooperation of officers of the Department of External Affairs, Ottawa. A study is underway on Canadian participation in the ICC by the Canadian Institute of International Affairs.



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The Canadian government was far from fully agreeing with U.S. policies on Indochina and, in any case, did not relish the role of representing them, although this, in fact, is what the troika arrangement which she was entering required. The Canadians hoped to be impartial, trusting that the Indians would be also, and that the two of them could handle the Poles. It took a year or so for the Canadians (and longer for the Indians) to discover the true meaning of the troika.

Canadian actions in support of the ICCs in Indochina include:

(i) Canada has provided from both its Department of External Affairs (EXTAF) and its armed forces personnel for the 3 ICC's for over 15 years.<sup>1</sup> The high, low and average are as follows:

	<u>High (1955)</u>	<u>Low (1968-1969)</u>	<u>Average</u> (to nearest whole number)
<u>Vietnam</u>			
EXTAF			
Officers	14	5	6
Staff	10	10	10
Defense			
Officers	48	11	35
Others	35	10	25
Total	107	36	76
<u>Laos</u>			
EXTAF			
Officers	3	3	3
Staff	3	5	4
Defense			
Officers	23	4	15
Others	9	5	8
Total	38	17	30
<u>Cambodia</u>			
EXTAF			
Officers	2	1	1
Staff	3	3	3
Defense			
Officers	12	1	3
Others	6	-	2
Total	23	5	9
GRAND TOTAL	168	58	115

(or very roughly 1,500 man years)

<sup>1</sup> More than one-third of the foreign service officers and

(ii) In financial terms, Canada has expended on the 3 ICCs an average of \$1.4 million during each of those 15 years of which \$1 million (or a total of \$15 million) has been absorbed by Canada and an effort made to get reimbursed for the other \$400,000. About one-half of the claimed reimbursement has been recovered (\$2.9 million over 15 years).

(iii) For ICC Laos, alone, under the 1962 formula whereby Canada is billed quarterly for a 1 per cent share, the Canadian contributors from 1961 to June 1969 total over \$944,000 or almost \$696,000 more than her assessed share.

(iv) As a slight offset to the personnel and financial costs of Canadian ICC participation, it should be noted that the Canadian delegates also function to some extent in lieu of normal Canadian diplomatic representation which otherwise does not exist in the area.

c. Poland - With a year's experience as the "neutral" representing the communist side in Korea, Poland was a clear choice of the communist negotiators at Geneva in 1954 for a spot on the supervisory machinery.<sup>1</sup> In fact Poland was so ready that it named its senior appointees to the 3 commissions while India and Canada were still considering the problem, and the latter, at least, had not yet fully decided to participate. Polish delegations were well staffed, fully briefed, were coordinated, hard-working and fluent in French; characteristics not nearly so common for the Indian delegations or even the bi-lingual Canadians. The Poles furnished their own interpreters (sometimes female) and doctors, which as in Korea gave them more people to work with.

During the initial few months honeymoon period for the ICCs when things seemed to be going smoothly, the Poles worked into the record and into the procedures of the ICC the features which could hobble it ever after. Through their control of the ICC petition system, among other Polish devices, ICC

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staff of the Department of External Affairs of Canada have served in the ICCs.

<sup>1</sup> A check of a few names of Poles who have served on the NNSC in Korea or on one of the ICCs in Indochina shows that a number have been in both. For example, the present (September 1969) Polish Military Attaché in Washington was in the Neutral Nation Inspection Team at Pusan in 1953-1954 and in ICC Laos in 1961-1962.

attention was kept focused on the situation in the South and a statistical advantage achieved over the South in the record. Restrictions on freedom of movement of ICC teams were written into their operating guides at Polish insistence and tactics established for stalling or frustrating inspections.<sup>1</sup>

After the honeymoon period, from 1955 on, Polish obstructionist tactics became more obvious and open. While the Indians and Canadians then saw the need to forego unanimity and register 2 to 1 split votes against the Poles, they were unable to recover the lost ground or to break through the Polish tactics.

Efforts at the 1961-1962 Laos Conference by Western negotiators to spell out ICC powers so as to counteract certain of the Polish tactics appeared to make some progress. In practice they were unavailing. Inclusion of a clause permitting inspection by majority vote was largely negated by the Polish Commissioner's and the Soviet Co-chairman's contention that the Laotian troika government--all three elements--had to concur as well. The decision to place necessary transport under ICC control had little impact when the Polish Commissioner (always supported by the Soviet Co-chairman) would not agree on what transport was needed. In any case, the transport could not be used to enter communist-held areas without their permission.

Polish support of the ICCs has been as follows:

(i) Personnel for 3 ICC delegations over 15 years or roughly 1,600 man-years.

(ii) Extrapolating from more detailed information available for the Laos ICC, and in line with the overall cost formula used on supra, p. 44, a rough estimate of the Polish financial contribution for all 3 ICCs for 15 years would place it on the order of two-thirds that of Canada or

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<sup>1</sup> For instance the 10 kilometer movement limit on mobile ICC teams effectively blocked adequate surveillance of the Chinese-North Vietnamese border.

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expenditures	-	\$14 million
absorbed	-	\$10 million
recoverable	-	\$ 4 million
recovered	-	\$ 2 million

(iii) For ICC Laos, alone, from 1961 to June 1969, Poland's contributions have totaled \$661,000 or \$454,000 more than her 1 per cent assessment.

4. Others (U.S., China, Burma and Thailand)

a. United States - Having furnished more than \$1 billion to or through France for the Indochina war from 1950 to July 1954, and very much alarmed at the implications the French defeat would have for Asian security, the U.S. was far from disposed to assist in arranging at Geneva or in cooperating thereafter with machinery by which the communist side could insure eventual control of the whole area. Instead, by officially recording its objections to the agreements, organizing SEATO, and arranging direct military assistance to South Vietnam, Laos and Cambodia, the U.S. served clear notice that those three areas were not to be surrendered. It may very well be that this U.S. approach was contrary to the often referred to (but never very precisely) "essentials of the Geneva Agreements," but that is not a point for discussion here. By 1962 and the second Geneva Agreement on Laos the U.S. under the Kennedy Administration was quite content with a neutral Cambodia and a neutral Laos, but was still extending its protection over South Vietnam.

Nevertheless, certain U.S. actions can be listed as supportive of the peace arrangements for Indochina:

(i) In South Vietnam the U.S. observed its MAAG ceiling of 342 men through the early years following the truce and even by late 1961 had increased it only to about 700 men, hardly a threat to the Geneva accords.<sup>1</sup>

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<sup>1</sup> By majority vote of the Indian and Canadian Commissioners, ICC Vietnam decided that MAAG strength not exceeding 888, the combined total of foreign advisers in South Vietnam in July 1954, would not be objectionable if arrivals and departures were supervised by ICC teams. SarDesai, op. cit., pp. 200-201.

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(ii) While the French forces remained in Indochina, the U.S. continued to support them under the Military Assistance Program and specifically supported those French elements providing assistance to the ICCs. During 1955, for example, this U.S. aid for the French Expeditionary Corps totaled \$100 million. Funds were programmed in each year to maintain French airplanes and helicopters supporting the ICCs through at least 1958. According to U.S. data, 18 U.S.-provided helicopters and 11 French helicopters were available to the French in Indochina plus a number of U.S.-provided C-47 and L-20 aircraft.

(iii) U.S. advice resulted in a 75,000-man reduction in South Vietnamese forces in 1953-1954. With mixed emotions, the U.S. also supported the progressive withdrawal of 140,000 French troops from Indochina in 1954-1956 with vast quantities of the best arms and equipment in the country.

(iv) The U.S. recovered from the French and South Vietnamese some \$130 million worth of excess U.S.-supplied arms and military equipment and shipped them out of Indochina.

(v) U.S. naval vessels participated in the exchange of civilians during the 330 days following the cease-fire in Vietnam. Of the more than 800,000 persons moved from North Vietnam to the South, the U.S. Navy lifted 310,848 of whom 17,846 were military dependents. The U.S. economic aid program for South Vietnam also contained funds to assist in resettlement of refugees (\$40 million for 1955).

(vi) After moving close to U.S. military intervention in Laos and seeking to supplant the Geneva system by involving the UN during the last days of the Eisenhower administration, the U.S. government under the new Kennedy administration in January 1961 pressed for a revival of the Geneva Conference and a return to one of the 1954 "essentials"--a neutral Laos under international protection and supervision.

(vii) In compliance with the Laos agreement of 1962, 666 Americans and 403 Filipino contract personnel were withdrawn from Laos under ICC supervision.

(viii) For the use of ICC Laos following the 1962 agreement, the U.S. provided, on a reimbursable basis, 4 helicopters.<sup>1</sup>

(ix) From 1962 to the end of June 1969 the U.S. has contributed for ICC Laos \$2.9 million. This is about \$.3 million over the 17.6 per cent share which the U.S. is obligated to pay under Article 18 of the Agreement. The U.S. has made no contributions for any of the ICCs under the original 1954 Agreement.

(x) In 1966, following 2 years of growing tension between Cambodia and her neighbors Thailand and South Vietnam, the U.S. offered to pay the costs of expanding the ICC operation in Cambodia. The offer was not taken up.

b. Communist China - There are almost as many views as to what sort of Southeast Asia the Chinese want as there are experts expressing views. One version is that China resents U.S.-Soviet superpower status and the implications of hegemony that go with it. Thus, she has been troublesome but will cease to be so when more confident of her status. Another view has been that China seeks only neutral buffer states--or Chinese-oriented neutrals--around her borders. And a third, of course, is of the militant China pressing World Communism through "wars of national liberation."

The Geneva Conference of 1954 was Communist China's first international conference with the West taking part. The Chinese conduct at Geneva was much milder and more cooperative than had been expected; the commonly held explanation being her wish to reach a settlement and to avoid U.S. intervention and a possible U.S.-Chinese confrontation. Although the rhetoric of the Chinese throughout the period has been as harsh as anyone on the Communist side, it

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<sup>1</sup> The shortage of funds in the ICC/Laos accounts has not permitted reimbursement to the U.S. for the helicopters. In recent years helicopter support has been placed on a contract basis with "Air America." The Commission, as of August 1969, owned 2 helicopters. The U.S. has taken some reimbursement for the helicopters in the form of offset in its contribution.

is probably true that it has been the North Vietnamese who have pushed the war and the Chinese who have been mildly restraining.<sup>1</sup>

Chinese arms in vast quantities, advisers, technicians, construction workers and military units were introduced into North Vietnam and Laos in violation of the Agreements but were never detected by the supervisory machinery. Of course, the task of detecting such violations was practically impossible. Although 4 of the 7 ICC fixed teams were near the Chinese frontier "an Army would have been required for a thorough check along the entire border."<sup>2</sup> The French had tried a system of aerial surveillance and radio-equipped border watchers, yet were completely surprised by the heavy Chinese weapons which appeared around them at Dien Bien Phu.

Chinese support for the ICCs has ceased altogether in recent years. Through 1963 her contributions were as follows:

(i) For the common pool for all 3 ICCs from 1954, Chinese contributions are unknown but probably totaled no more than a million or so dollars (see supra, p. 44).

(ii) China fell behind from the start in meeting her 17.6 per cent assessments for the cost of ICC Laos after 1961. By the end of 1963 she had paid just under \$700,000. While making no additional payments after that, she has continued to be billed for her share each quarter and as of June 1969 owed almost \$1.7 million to the account.

c. Burma/Thailand - Both of these countries were included in the 1961-62 Geneva Conference on Laos under Prince Sihanouk's 14-nation formula. Thailand was in the "friendly seven" group at the Conference. Burma had little role to play. For the dubious honor of going to Geneva and thus becoming a "guarantor" of the Laos settlement, each has been charged 1.5 per cent each quarter for the costs of ICC Laos. Not only are their payments less than the assessed amounts, but they are also usually delayed. From 1961 to June 1969 their status in this account is as follows:

	<u>Contributions</u>	<u>Still owed</u> (30 June 1969)
Burma	\$160,000	\$27,000
Thailand	\$139,000	\$72,000

<sup>1</sup> Morton Halperin, "China's Strategic Outlook" Alastair Buchan, ed., China and the Peace of Asia, op. cit., p. 106.

<sup>2</sup> SarDesai, op. cit., pp. 83-84.



## IV

## QUESTIONS - HYPOTHESES - CONCLUSIONS

## A. GENERAL

Experience of over a decade and a half with peace observation machinery in Korea and Indochina ought to produce interesting conclusions based on comparisons and contrasts between the machineries, between the situations in which they have been applied, and between the outcomes obtained. The major conclusions, questions and ideas that fall out of a consideration of this experience will be stated in this section as succinctly and baldly as possible.

## B. THE WRITTEN INSTRUMENT/AGREEMENT/MANDATE

In both Korea and Indochina the early military provisions of the armistice agreements were carried out. In both instances the major arms control provisions concerning build-up of forces have been ignored and the supervisory machinery frustrated. The Korean Agreement, it should be noted, was negotiated over a two-year period between the battle lines by military representatives while combat continued. There was naturally more attention to practical details of implementing the agreement than at the Indochina Conference in Geneva where most basic issues were settled over a period of just a few days. Few if any errors in drafting the Korean Agreement in themselves stand out as causes of serious trouble later.

There were drafting errors and gaps in the 1954 Geneva Agreements, and also in the more carefully developed 1962 Agreement on Laos, which complicated the peace observation function. Among the most significant of these were:

(1) Failure to provide for the continuation of a two-party relationship in all 3 basic cease-fire agreements.

(2) Confusion with respect to the precise meaning of "control" (controle).<sup>1</sup>

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<sup>1</sup> See Annex B, footnote 1, p. 90.

(3) Confusion with respect to the status of Pathet Lao forces in Phong Saly and Sam Neua Provinces. Again a translation difficulty was partly at fault: the English text read "territory under the military control," the French version was "Le territoire place sous le controle militaire."<sup>1</sup> The Polish Commissioner based his arguments largely on the distinction.

(4) Most critical for Laos after 1962 was the possibility of two vastly different interpretations of the requirement for concurrence by the Laos government in ICC functioning.<sup>2</sup>

(5) Omission of provisions against subversion.

(6) Failure to provide for the question of replacing withdrawn French arms and equipment.

(7) Failure to provide agreed definitions of "new military bases" and "democratic freedoms."

Good drafting and careful attention to details are important and save later difficulty, but one is forced back to the truism: between parties, one or both of whom intend to pursue their wartime goals, means will be found to get around the tightest armistice provisions, particularly where the supervisory and review machinery is "hamstringable."

#### C. TWO-SIDED AND THREE-SIDED SUPERVISORY MACHINERY (MAC/NNSC/NNRC - Co-Chairman/ICC)

The Swiss and Swedes tried conscientiously for the first few months in Korea to operate as part of a 4-party neutral body, and on one occasion, at least, the Swiss delegate voted with his two communist "neutral" colleagues on a minor issue. Very shortly, however, the hard fact that the "neutrals" were 2-sided in an exact match with the two parties to the dispute became clear. The Poles and Czechs, of course, had never thought otherwise. Patterns of performance for the armistice supervisory machinery established through skillful manipulations of the Poles and the Czechs in the first weeks, which worked out always to the advantage of the Northern side, were

<sup>1</sup> SarDesai, op. cit., p. 169.

<sup>2</sup> See Annex B, footnote 1, p. 100.

never after alterable. A 2-2 vote could prevent all changes, and the unfair, lopsided performance continued until unilaterally shut off by the UNC side, at some expense to its public opinion position.

A two-sided neutral nations supervisory system functions with any acceptable degree of efficiency only where: (1) the extent of supervision is acceptable to, and of demonstrated equal effectiveness with respect to, both sides to the hostilities; (2) both combatants are prepared to resume hostilities in case of serious violation or to match the violation, but are not looking for an excuse to do either.

The operation from September 1953 to February 1954, involving the disposition of prisoners of war (POWs) not desiring repatriation, was the 3-sided troika feature of the Korean Armistice. As in Indochina, India was the choice on which both combatant sides could agree for the truly "neutral" role. Unlike the situation in Indochina, the POW operation in Korea had clear terms of reference with phased deadlines some of which were in the nature of being self-executing. Indian representatives were less inclined and certainly had less opportunity to get involved beyond the task of executing the plan.

In the Indochina arrangements of 1954 and 1962, India was again chosen as the "real neutral" between the Canadians and Poles. But Canada also wished to be sort of neutral or at least objective, whereas, for India, neutrality meant being non-objective if necessary. The effect, again as in Korea, was that skilled "communist neutrals" got the operation launched irrevocably into patterns which aided the side they knew from the start they represented.

In the 1962 Laos agreement the ICC troika was tied to a second troika made up of the three factions in Laos and, in addition, placed more firmly under the two-sided Co-chairmanship.

India, considering the balance of forces in the Geneva Conference of 1954, was the one important power, that could be agreed upon as the "real neutral" in the troika supervisory system in Indochina. The same considerations dictated the choice of India for the POW operation in Korea. The troika, even when it reports to a 2-sided entity like the Co-chairmanship, has advantages over the pure parity system. The

advantages are realized only when the "real neutral" is an important power whose views carry weight and who, from a basically neutral position, will perform its role with almost ruthless objectivity. The other two troika members should be of more or less equal status and, from the start, clearly representative of the two hostile sides. It is difficult to suggest a country, other than India, which comes very close to satisfying the qualifications for a troika chairman in a serious dispute with East-West involvement.

The U.K. and the USSR were well matched as Co-chairmen, with British diplomatic skill applied with subtlety more than holding its own against the cruder Russian partisanship. Nonetheless, the two-sided overall review system (Co-chairmanship in Indochina, Military Armistice Commission in Korea) has serious flaws where the adversaries are not really reconciled. This is certainly true when compared with the capabilities of the UN Secretary-General acting in an executive role for the Security Council or General Assembly and with substantial prestige and power of his own.

A point to be guarded against in the two-sided overall review system, related to its inability to act in the absence of agreement, is loss of control. The protection of the veto is an illusion where on-going patterns continue unless directed to stop and when the system is faced with proposals which are self-executing in the absence of a decision. Conversely, the inability of a two-sided review authority to decide an issue referred by the truce supervisory machinery, depending on the terms in which it is referred, can have the effect of rendering the issue sub judice and, for all practical purposes, non-operable. Tactics of parliamentary maneuvering in troikas and parity structures for adversary-type peace supervision are a subject for much more thorough study in non-communist countries.

#### D. ARMS CONTROL FEATURES

If they had been respected by the parties and their outside supporters, or if they had been enforceable by the truce machinery, those features of the armistice agreements in both Korea and Indochina designed to prevent the buildup of military capabilities on both sides would have gone a long way towards preventing renewed hostilities and would have facilitated peaceful reconciliation.

The two "if" clauses in the paragraph above are related. If the first had obtained (i.e. intent to comply), the second (i.e. effective supervision) would have been both less necessary and easier--merely adequate to instill a requisite degree of confidence in compliance. If the first "if" (i.e. intent to comply) does not obtain on one or both sides or is ambiguous, enforcement becomes extremely difficult.

Arms control features of a truce arrangement (ports of entry, documentary surveillance, inspection), designed to fit the side whose equipment enters the area at port and airfield complexes are totally inapplicable to the side whose equipment enters along border trails and whose logistical apparatus is totally decentralized.

Question: Would a nonsymmetrical arms control system, designed to fit the very different situations obtaining on the two sides, have been negotiable for Korea and/or Indochina? Would it be in a future Vietnam settlement?

Three problems stand out: (1) Without an inventory showing types and quantities of major armaments as of the cease-fire, introduction of arms is unprovable unless "caught in the act."

In almost all arms control or peace negotiations the inventory feature has been unacceptable to the communist side. (2) Freedom-of-movement for inspection teams of the truce supervisory machinery of the degree necessary for anything approaching adequate monitoring of arms introduction, or even that needed for a random access spot-check inspection basis, have likewise been unacceptable to a communist side.<sup>1</sup> (3) Arms control features of a truce have a "wear-out" characteristic. Attempts to freeze numbers, types and distribution of arms for an indefinite future, as in Korea and Indochina, invite violation.

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<sup>1</sup> It is interesting, however, that Korea and Indochina do provide examples of the agreement by communist states to at least the semblance of "neutral" inspection for arms control or communist territory.

As with the overall Agreement itself (section B above) fool-proof arms control features are probably unattainable in situations resembling Korea or Indochina. The supervisory machinery should make it as difficult as possible for the violator to escape notice and avoid whatever sanction, probably unfavorable public notice, can be applied. Beyond this, against the side bent on systematic violation the option of matching action or even renewed hostilities by the other side is the effective sanction.

#### E. MISCELLANEOUS

(1) Ad hoc non-UN peace observation machinery, such as in Korea and Indochina suffers from the absence of a forum or channel in which to apply its most effective enforcement weapon--publicity. After the novelty wore off, reporters found little to excite their interest. Reports of the Korean and Indochinese neutral commissions were not very frequent, were delayed in publication, and, in the period of early interest, were so non-controversial as to be utterly unnewsworthy. Even the deliberate violator of an agreement does not relish being found out. At the risk of vast clouds of propaganda, charges and counter-charges and some possible occasional increase in tension, world public notice should be frequently focused on the truce situation. This could be accomplished by more frequent reports by the supervisory body, rapid and wide distribution of the reports and even periodic news releases or conferences. The publicity instrument would appear to be particularly useful in the hands of the "real neutral" chairman of a troika.

(2) Peace observation missions like Korea and Vietnam are reasonable bargains from the financial point of view. Direct costs for the Neutral Nations Supervisory Commission (NNSC) for all parties and participants over the course of 16 years have totaled on the order of \$32 million. The Neutral Nations Repatriation Commission (NNRC) cost less than \$3 million. The 3 International Control Commissions (ICCs) in Indochina since 1954 have cost in the neighborhood of about \$120 million, spread among many contributors. Financial support has never been a serious problem for the Korean truce machinery. This is unusual for any kind of peacekeeping operation which always seems to be on the verge of bankruptcy. The international commissions in Indochina fit the pattern. Although it can hardly be claimed that better financial backing would have made them successful, lack of funds has adversely affected their functioning. Points to stress are:

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(a) Personnel pay and allowances, accommodations and board for a sizable mission extending over many years will eat up more funds than any other category. If paid from a contributed fund, empire building and ostentatious living often tend to become the pattern.

(b) The maintenance by the mission of even a small owned or leased air transport capability is the next costliest category and its reputed advantages are not as great as made out to be.

Contributors to the mission should pay salaries and all allowances of all their personnel. The parties (or their supporters) should provide accommodations, board, transport, communications, and all other support in kind at reasonable standards. Exceptions to the above, for support from a contributed fund, should be rare. Major powers providing airlift for mission personnel to the area should absorb the costs.

(3) Western nations are at a disadvantage in dealing with Communist states in truce situations because of the large difference in the degree of control over people and human values in general. Two guidelines seem to follow:

(a) A "Petition system" which seeks to use the eyes and ears of the general population to evaluate compliance with truce terms, as in Indochina, tends to become widely unbalanced, with the system unused in the communist-controlled territory and over-used in the other area. Any truce supervisory feature which can so easily be made to produce a false picture of truce compliance is worse than no such feature at all.

(b) Much greater pressure falls on the non-communist side when any of its personnel are in or fall into the hands of the communist side, than if the situation is reversed. Since the characteristics which make this so are not likely to change, the Western side needs to take special precautions to prevent personnel capture. Where POWs are held, the quick, clean, unkillable pattern used in the Korea exchange has merit as a model.



ANNEX A

THE KOREAN TRUCE OF 1953

Historical Setting and Developments<sup>1</sup>

Quite clearly the extended peace negotiations which finally brought the Korean War to an end on 27 July 1953, and the 17 year truce which has followed, cannot be considered as exercises apart from the war aims of the contesting sides and the actual and anticipated battlefield situation or power relationship at the time.

1. The War Year

When the Soviet Union's Jacob Malik, on 23 June 1951 at the UN proposed that cease-fire discussions begin, almost exactly a year had elapsed since the initial overt North Korean attack on South Korea. In that year the battle had raged in huge see-saw movements deep into the territory of both the North and the South. Both capitals had been captured and recaptured--Seoul twice. The UN Command's offensive to the Yalu with its amphibious and airborne end runs had in the Fall of 1950 practically wiped out the North Korean Army.<sup>2</sup> In November 1950 a counter-blow from the North fell with the introduction of over 200,000 Chinese "volunteers." By the end of December the battle lines had shifted south of the 38th Parallel again and Seoul was captured for the second time. The southward retreat ended and by late February 1951 the UN forces were attacking again. Seoul was recaptured for the second time on 15 March and in early April the 38th Parallel was reached and crossed in several places. A North Korean/Chinese counter offensive was turned back and by late May the UN Command was across the 38th Parallel in force.

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<sup>1</sup> For a short (12 page) overall treatment of the Korean truce see David W. Wainhouse, et. al., International Peace Observation, (Baltimore: Johns Hopkins Press, 1966) pp. 342-357. Another brief treatment covering the whole period 1943-1956 is to be found in Carl Berger, The Korean Knot: A Military-Political History, (Philadelphia: University of Pennsylvania Press, 1957.)

<sup>2</sup> On 7 November 1950, in announcing the Chinese intervention, General MacArthur claimed North Korean casualties of 200,000 plus 135,000 prisoners comprising "a fair estimate of North Korean total military strength." Berger, op. cit. p. 124.

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Political and diplomatic developments during the period were also of significance and should be briefly sketched. First it needs to be noted that the decision to employ U.S. forces against the North Korean aggression was something of a reversal of U.S. policy and resulted from President Truman's and Secretary of State Acheson's conviction that the attack represented an open-ended threat to the whole system of collective security. The immediate referral of the crisis to the UN and the approval by the Security Council (Soviets absent) of 3 enabling resolutions (25 and 27 June and 7 July 1950) are well-known elements of the story.

When MacArthur's brilliant offensive of September 1950 reached the 38th Parallel, a mandate for him to press on northward was provided by the General Assembly resolution of 7 October 1950 recommending that "all appropriate steps be taken to ensure conditions of stability throughout Korea." MacArthur broadcast a surrender offer to North Korea on 9 October and started his troops north.

The Chinese intervention at the end of October and the 4 months retreat of UN forces southward activated a number of diplomatic/political developments. Truman's press conference reference of 30 November to the use of "every" weapon in the American arsenal if necessary, resulted in world-wide scare headlines about "atom bombs." U.K. Prime Minister Atlee rushed to Washington on 4 December and the communique following his meeting with President Truman declared they were ready to seek a negotiated end to the Korean hostilities. At Lake Success Chinese Communist General Wu Hsiu-chuan pressed charges of aggression against the U.S. and offered peace terms that started with the U.S. getting out of Korea and Formosa. The UN General Assembly created a 3-man committee of Pearson of Canada, Rau of India and Entezam of Iran to study the problem. General Wu and the Chinese Premier Chou En-lai, with their troops moving strongly southward in Korea, rejected all proposals by the committee. On 1 February 1951 the UN General Assembly by a vote of 44 to 7 approved a resolution declaring Communist China an aggressor in Korea.

From this point until the Soviet negotiation feeler in June 1951, the events surrounding the relief of General MacArthur from command were most significant. As the Chinese were pushing UN forces south the tone of MacArthur's reports and his public comments were decidedly pessimistic--almost alarmist. When the Chinese offensive was blunted and the UN forces surged North again in March he became glowingly optimistic. In both moods his solution was the same: all-out for victory through expansion of the war. MacArthur was relieved of command by President Truman

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on 11 April 1951 after the public release of correspondence between MacArthur and the Republican Party leader in the House of Representatives on 6 April. MacArthur was replaced by General Matthew Ridgway who had already shown his worth as the battlefield commander of the U.S. Eighth Army in Korea, and General Van Fleet, another staunch combat leader, was sent to take Ridgway's position. MacArthur's triumphal return to the U.S. and his moving speech on 19 April before a joint session of the Congress, followed by the blunting of the second spring offensive of the communist forces in Korea and the crossing again of the 38th Parallel by the UN Command fighting northward in May, produced, it must be concluded, just the right confluence of forces to elicit the peace feeler from the communist side.

## 2. The Negotiating Years

Something over 2 years elapsed between the Soviet peace overture of 23 June 1951 and the final signatures on the Armistice Agreement for Korea on 27 July 1953. Thus, twice as much time was consumed in the "negotiate-and-fight" stage as in the "fight" stage.

What was involved was a single military cease-fire to be negotiated and agreed between the two commands with political issues reserved for a subsequent conference. Nevertheless, it was a hard grinding process. The negotiations were suspended many times for several days or even months. The "walk-out" became a favorite negotiating tactic of both sides. Hard and costly fighting went on throughout the negotiations.

The agenda for the negotiations was agreed on 26 July 1951 in a meeting at Kaesong and contained 5 items:

1. Adoption of an agenda.
2. Fixing a military demarcation line between both sides so as to establish a demilitarized zone as a basic condition for a ceasefire.
3. Concrete arrangements for the realization of a cease-fire and an armistice, including the composition, authority, and functions of a supervising organization.
4. Arrangements relating to prisoners of war (POWs).
5. Recommendations to the governments of the countries concerned on both sides.

Items 2 (demarcation line) and 4 (prisoners of war) were the most intractable issues.

The communists "walked-out" for 2 months over the demarcation line question. They wanted it on the 38th Parallel while the UN Command wanted it at the "line of contact" which was at

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that time north of the 38th Parallel across most of the peninsula. The negotiations finally resumed at a new site, Panmunjom, on 24 October 1951 and on 27 October the communists agreed to the "line of contact" approach.

The POW issue turned on the vast difference in the numbers held by each side (132,474 by the UN Command, only 11,559 by the North Korean/Chinese side) and the fact that some of the North Korean and Chinese prisoners were refusing repatriation. With great amounts of pride, prestige and "face" involved on both sides, the issue was almost non-negotiable, certainly across the table at Panmunjom. It took a whole series of political developments on the world scene, face-saving gestures, negotiating gimmicks, and horse-trading before the basic issue was finally resolved in April 1953. The UN Command's principle of no forced repatriation was sustained.

Battlefield and other local developments in Korea need to be noted. In May 1952, just as the deadlock on the POW issue became immovable, the UN side changed its Commander and its chief negotiator. General Mark Clark replaced Ridgway and Major General William K. Harrison replaced Admiral Joy at the Panmunjom conference table. In the same month, excited by the interviewing that had been taking place and, allegedly, under orders from the communist side, prisoners of war in the UN Command's prison camps engaged in bloody rioting. It took a week or more to reestablish some degree of control in the camps.

Immediately Clark stepped up the military pressure with a view to making "the stalemate more expensive for the communists."<sup>1</sup> The means were limited, but vigorous, attacks on the ground and stepped up air attacks on North Korean targets. In June 1952 the air offensive, for example, destroyed a vital Korean hydro-electric facility on the Yalu River, described as a "national calamity" for North Korea.<sup>2</sup>

Clark also asked and received authority from Washington to recess the truce talks unilaterally whenever no progress was being made. General Harrison employed this tactic on 7 June 1951 and many times thereafter.

On the world scheme several highlights of the negotiating period should be noted. The U.S. presidential campaign, culminating in the election of Eisenhower in November 1952, combined a number of elements important to the peace negotiations.

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<sup>1</sup> Mark W. Clark, From the Danube to the Yalu (New York: Harpers, 1954), p. 69.

<sup>2</sup> Berger, op. cit., p. 151.

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Although the ending of the war in Korea was a leading feature of the Eisenhower campaign, it would have been very difficult to disassociate the image of the successful wartime supreme commander from the new President.

The death of Stalin on 5 March 1953 completed the process of making it easier for both super powers to free themselves from the constrictions of earlier decisions and errors. A greater degree of flexibility became possible.

At the UN, Indian initiatives to help bring about the truce should be noted, especially those concerning the POW issue. It was the Indians who from December 1952 onward suggested various schemes for breaking the impasse and they were ultimately successful. Starting from the UN side's "free-choice" principle, options were added and subtracted to provide for a period of neutral custody of the prisoners during which time they would hear "explanations of their rights. Again an Indian initiative led to operation "Little Switch," a generally successful exchange of sick and injured prisoners in April-May 1953, which in turn led to agreement on the whole POW issue. For her troubles, India was selected as the neutral nation to have the deciding vote in the 5 nation Repatriation Commission and to provide the force to take custody of the "non-repat" prisoners for the explanation period.

Finally, in this brief sketch of the events leading up to 27 July 1953, it must be mentioned that the Republic of Korea, on whose behalf in a way all of this was being done, vehemently opposed almost every feature of the Armistice Agreement. This agreement was essentially reached between the Panmunjom negotiators by the first days of June 1953. From then until the signing on 27 July, the negotiating parties were the United States and Syngman Rhee, the pre-eminent Patriot-President of South Korea. Rhee had lots of frightening negotiating ammunition and he threatened to use it: withdrawal of Korean forces from the UN Command, denial of access to South Korean territory for truce supervisors (or at least communist members thereof and Indians), or even to march north with Korean forces alone. He actually did implement one threat and thereby almost broke up the agreement which had been substantially reached at Panmunjom on 4 June 1953. On 18 June he turned loose some 25,000 of the prisoners of war held in South Korea.

The U.S. had few "sticks" to use in the effort to bring Rhee along and, therefore, was required to offer "carrots." These included a defense pact, long-term military and economic aid and a degree of collaboration on any political settlement. Along with growing world-wide condemnation of Rhee's obstruc-

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tionism, these measures, and the final North Korean/Chinese offensive of the war aimed directly at South Korean troops, brought Rhee to a reluctant acceptance of the armistice agreement. The signing by the representatives of the military commanders of the two sides took place at 10 A.M. 27 July 1953 at Panmunjon. Twelve hours later the fighting stopped.

THE GENEVA AGREEMENTS OF 1954  
AND 1962 AND THE WAR IN  
SOUTHEAST ASIA

ANNEX B

Historical Setting and Developments

A. BEFORE GENEVA 1954

For about a thousand years, from 600 A.D. to 1600 A.D., the area now called North and South Vietnam was a province of China. For almost 300 years after the Chinese were overthrown various Vietnamese dynasties ruled the country and for part of that period (Nguyen Dynasty) it was more or less united. The French colonial period began in the 1880's and, under them, the area was treated as three rather distinct entities: Tonkin in the North, Cochinchina in the South and Annam in the middle. French influence was always much greater in the South.

From 1940 to 1945 in World War II the Vichy French continued to rule the area but under control of the Japanese conquerors.<sup>1</sup>

For the short period March to August 1945, the Japanese took over direct control and installed Bao Dai as ruler.

Meanwhile, Ho Chi Minh (whose death on 4 September 1969 introduced new uncertainties into the current situation) in October 1944 entered the area from China with a few hundred followers and proceeded to organize a resistance movement, mainly in the North, against both the French and the Japanese.<sup>2</sup>

The Japanese surrender on 2 September 1945 was seized by Ho as the opportunity to declare the existence of the Democratic Republic of Vietnam (DRV) representing all of the Vietnamese peoples and completely independent of all French ties.

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<sup>1</sup> With this collaboration by the French, the Japanese occupation force needed to control the area was thus very small, only about 35,000, very few of whom were in the North.

<sup>2</sup> As an interesting sidelight to history it has been reported that the Peoples Army of Vietnam (PAVN) grew from an initial platoon organized on 22 December 1944 under Ho Chi Minh's direction by Vo Nguyen Giap (later to gain fame as the victor at Dien Bien Phu) consisting of 34 men and armed with 2 revolvers, 17 rifles, 14 flintlock rifles and 1 light machine gun. B.S.N. Murti, Vietnam Divided, (New York: Asia Publishing House, 1964), p. 94.



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However, under Allied plans developed at Potsdam for accepting the surrender of Japanese forces, the British (ironically, employing a division of Indian troops) moved into Vietnam south of the 16th parallel about 12 September and brought the French along with them.<sup>1</sup> Nationalist Chinese forces moved in north of the 16th parallel. The complex of pressures resulting from these developments led to compromises between Ho and the French that resulted in something less than complete independence for Ho's government and its exclusion from Cochin China. French troops were reintroduced into the North.<sup>2</sup> Compromise was facilitated by the desire of both Ho and the French to be rid of the Nationalist Chinese occupation forces.

Innumerable conferences, resulting in shaky shifting agreements, were held between the French and their Vietnamese protégés and Ho and his supporters. The arrangements of groups and portfolios within each of the rival regimes were altered repeatedly in search for advantage. French stubborn resistance to independence for Vietnam, and especially for Cochin China, was the critical issue.

Sporadic incidents of fighting between Ho's followers and the French troops in the fall of 1946 led to serious combat in November, including a French bombardment of Haiphong on 23 November in which it was estimated 6,000 people were killed,

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<sup>1</sup> It is charged that the British commander, Major General Douglas Gracey, exceeded his orders which had been simply stated by Lord Mountbatten as "Sole Mission: disarm the Japanese. Do not get involved in keeping order." Instead Gracey "rearmed the interned French soldiers, detained the leftists among Vietnamese nationalists, imposed curbs on the native press, and restricted freedoms of movement and speech." D.R. SarDesai, Indian Foreign Policy in Cambodia, Laos, and Vietnam 1947-1964, (Los Angeles: Univ. of California Press, 1968), p. 9.

<sup>2</sup> The re-entry of French forces into the North was controlled by a 6 March 1946 agreement between the French and Ho. The number was limited to 25,000--15,000 French and 10,000 Vietnamese under French command. The forces were to be withdrawn in 5 annual increments.

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mostly civilians.<sup>1</sup> By December fighting had spread throughout Vietnam. Active hostilities continued for almost 8 years until a settlement was reached at the Geneva Conference on 21 July 1954.

Several developments on the world scene stood out in the period of Franco-Vietminh conflict 1947-1954:

(1) The final victory of Mao in China in 1949 and the recognition of the DRV by both Communist China and the U.S.S.R. in January of 1950 cast a new light on the struggle and for many made it more clearly an anti-communist struggle instead of a colonial or civil war situation.

(2) At French request in May 1950, the U.S., which had lacked sympathy for the French colonialist but was now concerned with the communist aspects, agreed to provide assistance to the French for the war as well as economic assistance to the 3 Indochina countries.<sup>2</sup>

(3) Communist aggression in Korea in late June 1950 and the psychological and material mobilization for the vigorous response of the U.S. there, together with intensification of the Indochina war, led to greatly increased U.S. assistance to the French and closer Franco-American collaboration. By early 1953 the peak of this collaboration was reached in U.S. support for the Navarre Plan for complete victory over the Viet Minh. By the time of the Geneva Conference, U.S. aid had totalled over \$1 billion.

(4) The coming to power of the Eisenhower Administration in the U.S., the ending of the Korean War on 27 July 1953 and growing French disillusion with the high costs and lack of success in Indochina<sup>3</sup> were factors leading the Western Powers,

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<sup>1</sup> SarDesai, op. cit., p. 11.

<sup>2</sup> Department of State Bulletin (June 12, 1950), pp. 977-978.

<sup>3</sup> "By 1952 France had spent sixteen hundred billion francs (twice the amount of American Marshall Plan aid to France) and incurred ninety thousand casualties. . . . In 1953 the annual war disbursement amounted to five hundred billion francs, while the toll at officer level equalled the number of graduates of St. Cyr." SarDesai, op. cit., p. 30.

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especially France and the U.K., to seek negotiations. By agreement of the Big Four foreign ministers, meeting in Berlin January-February 1954, it was arranged to discuss the problem in Geneva in the spring in conjunction with the political conference on Korea.

(5) Between the Berlin decision and the Geneva Conference 6 months later came the further elucidation by Secretary of State Dulles of the U.S. doctrine of massive retaliation and of plans for organizing collective defense against communism in Southeast Asia.<sup>1</sup> The "McCarthy era" began to come into full force in the U.S. The Soviet Union's Malenkov was preaching peaceful coexistence. India and China, in April 1954, reached an agreement on Tibet based on the "5 principles," the "Panchasheel." Peace was in the air and seemed about to extend around the world, except for isolated small conflicts, for the first time since 1931. The war, itself, on the other hand, greatly intensified and reached a climactic point on 7 May 1954, just one day before the subject of Indochina was taken up at Geneva, with the French defeat at Dien Bien Phu. The French and their supporters could hardly have begun negotiations under worse psychological and military conditions.

## B. THE GENEVA AGREEMENTS

Nine parties took part in the Indochina phase of the Geneva conference: Cambodia, Democratic Republic of Vietnam (DRV), France, Laos, Peoples Republic of China, State of Vietnam, Soviet Union, U.K. and the U.S. It might be noted that five of the nine were not members of the United Nations at that time; three still are not.

Under a strict time deadline of one month imposed on himself by French Premier Mendes-France, a body of agreements and declarations was formalized on 20 and 21 July 1954. Making up the collection commonly known as the Geneva Agreements were:

(1) 3 separate agreements on the cessation of hostilities in Vietnam, Laos and Cambodia, signed in the cases of Vietnam

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<sup>1</sup> For examples, the Dulles statement to the Overseas Press Club, 29 March 1954 and the Dulles-Eden Communique in London, 13 April 1954 (Great Britain, Documents Relating to British Involvement in the Indo-China Conflict, 1945-1965, Misc. No. 25, Cmnd. 2834, 1965, Nos. 14 and 15.)

and Laos, on behalf of the Commander-in-Chief of the Peoples Army of Vietnam (PAVN) by Ta-quong-Buu, DRV Vice Minister of Defense, and on behalf of the Commander-in-Chief of the French Union Forces in Indochina by Brigadier General Deltiel.<sup>1</sup> The Cambodian Agreement had 2 signatures neither of which was French: General Nhiek Tioulong for the Commander-in-Chief of the Khmer National Armed Forces, Ta-quong-Buu for the Khmer Resistance Units as well as the PAVN.

(2) 6 separate formal declarations made, 2 each, by the governments of France, Cambodia and Laos.<sup>2</sup>

(3) The unsigned Final Declaration of the conference consisting of 13 paragraphs, noting but not incorporating the 3 basic agreements.<sup>3</sup> The 6 final declarations were noted and their content indicated.

(4) The Declaration by the U.S. Representative, Under-Secretary of State Bedell Smith, 21 July 1954, which took note of the 3 basic agreements and 12 of the 13 paragraphs of the Final Declaration and declared that the U.S. would refrain from the use or threat of force to disturb them, but would be gravely concerned at any renewed aggression.<sup>4</sup> The declaration also qualified U.S. acceptance of the Final Declaration's statement on a future election, by specifying UN supervision.

A statement by the representative of the State of Vietnam (South Vietnam) at the final meeting on 21 July requested an addition to the Final Declaration to take note of the South Vietnamese government declaration that it would work for peace and would not resist by force the procedures for carrying the cease-fire into effect despite the objections and reservations it had made about them.<sup>5</sup> No change was made in the Final Declaration, but the statement is part of the record.

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1 Great Britain, Further Documents Relating to the Discussion of Indo-China at the Geneva Conference, June 16-July 21, 1954, Misc. No. 20, Cmd. 9239, 1954.

2 Ibid., Docs. No. 6 and 8 for Cambodia, Nos. 7 and 9 for Laos, Nos. 10 and 11 for France.

3 Ibid.

4 Ibid. The 13th paragraph contained an agreement by the parties to the Conference to consult one another on future problems. Consultation with Communist China was not acceptable to the U.S.

5 Ibid.

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The Geneva Agreements were a peculiar but closely tied package, arrived at mostly through private negotiations during the last 10 days of the conference--the 8 plenary meetings were largely for show. There was a great deal of camouflage over many unresolved vital issues. With considerable simplification, the main provisions of the agreements can be grouped and discussed briefly under the following heads:

1. Military Features:

(1) There was to be a cessation of hostilities in the 3 areas on a staggered basis, allowing for time to get the orders distributed, but to be complete by 11 August 1954. There was little fighting after the date of the agreements.

(2) Opposing forces were to regroup in a specified area, in the case of Laos and Vietnam, on a time schedule. In Cambodia local opposition forces were to be demobilized. French and Vietminh forces were to withdraw. Withdrawal was to occur after regroupment in Laos and Vietnam. In Vietnam a transfer of territory would also take place, with the troop withdrawals, on a schedule extending to 300 days. French forces could remain in Laos and in South Vietnam.

(3) In Vietnam a Demarcation Line at the 17th Parallel with a Demilitarized Zone of up to 5 kilometers on either side was established.

(4) Prisoners of War and civilian internees were to be exchanged.

2. Arms Control Features:<sup>1</sup>

(1) Varying restrictions (very slight in the case of Cambodia) were placed on the import of military equipment and foreign troops. No restrictions were placed on the size or armaments of the national forces, provided unauthorized imports were not involved.

(2) There were restrictions against the joining of alliances which were strict in the case of both parts of Vietnam, almost non-existent for Cambodia and slight for Laos.

(3) Similarly new bases or foreign bases (except for the existing French ones) were either restricted (Cambodia/Laos) or prohibited (North and South Vietnam).

3. Political Features:

Although the agreements were intended to be strictly addressed to military matters, and the Western delegations

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<sup>1</sup> See the following Annex, Annex C, for a fuller discussion of the arms control features of the Geneva Agreements.

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resisted Communist efforts to incorporate political features, certain significant political points were included:

(1) Elections would be held in Cambodia in 1955, and in both parts of Vietnam in 1956 with consultations about Vietnamese elections beginning in July 1955.

(2) There were to be no reprisals against those who had collaborated with the opposing forces and they were to enjoy freedom of political action. The communist element in Laos was accorded special treatment.

(3) Persons desiring to move from one part of Vietnam, during the same period when troop exchanges were taking place, were to be assisted to do so.

4. Supervision and Control Features:

(1) The two military commands which had signed each of the 3 agreements were to establish Joint Commissions (JC), Joint Sub-Commissions and Joint Groups to facilitate the execution of the military features of the agreement which involved joint action by the parties.

(2) A 3-nation International Commission for Control and Supervision (ICC) would do what its name implies for almost all features of the agreements and would interpret the agreement if the parties or the Joint Commissions could not agree.<sup>1</sup> Canada, India and Poland provide the personnel for the ICC and its fixed and mobile teams,<sup>2</sup> with India acting as chairman. Certain matters could be decided by majority vote but unanimity was required for important problems. An ICC decision supposedly would be mandatory for the parties. The two sides would liaise with the ICC and its teams and would provide the necessary means for them to function. Although duration of the ICC's was not specified, it was generally presumed that completion of elections in Vietnam, Cambodia and Laos would produce political settlements and the ICC's would no longer be required.

<sup>1</sup> Doing "What its name implies" is a far from clear expression. The various meanings of the word control in English and contrôle in French, experts say, permit any number of interpretations in practice, extending from merely "observe" to "manage."

<sup>2</sup> Fixed ICC teams of 6 members each--number prescribed by the agreements at 5 for Cambodia, 7 for Laos, 7 for South Vietnam, 7 for North Vietnam. Mobile ICC teams of 3 members each--number decided by ICC, initially 4 for Cambodia, 5 for Laos, 28 for North and South Vietnam.

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(3) Although not specifically established by the Geneva Agreements the institution of the Co-chairmanship developed from it. Due to the mixed bag of participants at Geneva, some of whom did not speak to others, the practice was adopted whereby the British and Soviet Foreign Ministers, Eden and Molotov, chaired meetings on alternate days. Responsibility for solving an unresolved detail, the method for sharing the costs of the ICC, was assumed by the co-chairman as the conference adjourned. The co-chairman also agreed to contact the 3 ICC nations with the request for their participation. As the only surviving entity of the Conference the co-chairman also came to be the channel of communication for reports of the ICC and eventually the addressee for any message concerning the agreements, as part of the consultation process provided for in Article 13 of the Final Declaration.

## C. DEVELOPMENTS SINCE 1954

The 3 ICCs were established in Phnom Penh, Vientiane and Hanoi on the final day of the staggered schedule for ceasing fire, 11 August 1954. However, their role was more symbolic than real for a good many weeks as skeleton staffs were being rounded out, accommodations arranged, and communications/transport facilities established.

Accordingly, the cease-fire itself and many of the initial actions which followed closely afterward were carried out unilaterally or jointly by the parties without ICC participation. By the time the ICCs were ready to function, certain developments had transpired which made it difficult for them to get a grasp on the situation.

Although many exceptions can be cited, the military clauses of the agreements concerning regroupment and withdrawal of forces were generally carried out by the opposing sides. Prisoners of War and detained civilians were exchanged but the communist side failed to account for many such people thought to be in its custody. The demarcation line and demilitarized zones at the 17th Parallel in Vietnam were established with no particular difficulty.

With respect to the Arms Control features of the agreements (bases, alliances, importation of men and materiel), each of the Indochina states needs to be considered separately:<sup>1</sup>

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<sup>1</sup> See the following Annex, Annex C, for a fuller discussion of the arms control features of the Geneva Agreements.



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(1) Cambodia - Although not strictly limited by the agreements in this area, Cambodia practiced restraint in seeking or accepting military aid or foreign military instructors. The ICC in Cambodia, particularly the Indian chairman, exerted pressure against the U.S. military assistance program for Cambodia and against the introduction of American military instructors. During the first 5 or 6 years under the agreement there were few grounds for complaint against Cambodia. By the time the use by North Vietnam of routes of supply and bases in Cambodia became an issue, the overall threadbare condition of the Geneva Agreements was apparent.

(2) Laos - Permitted to have 2 French bases, a specified number (5,000) of French troops and instructors, and importation of necessary defense materiel, Laos likewise was not under very strict limitation. In fact, the French strength in Laos was below the authorized level and only one French base was maintained. Significantly, the Agreement, unlike the case of Cambodia, required that only the French could maintain non-Laotian bases or military personnel in Laos.

The communist Pathet Lao were charged by both the Laos government and the French with receiving war materiel and military personnel across its borders with China and North Vietnam. The ICC during 4 years was never able to prove these charges. A UN fact-finding mission in September 1959 also was unable to determine whether there were North Vietnamese troops in Laos although it noted the appearance of North Vietnamese support for Laotian dissidents.<sup>1</sup>

As the political situation in Laos became more and more unstable and the military pressure by the Pathet Lao increased, U.S. military aid was sent to Laos and administered by a quasi-military American staff called the Program Evaluation Office.

Finally towards the end of 1960 and the beginning of 1961, the Laotian situation was so tense and the fears of military escalation or full-scale outside intervention so immediate

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<sup>1</sup> The Laos resolution was adopted on 7 September 1959 10 votes to 1 (Soviet Union) on the ruling by the Security Council President that it was a procedural matter. The mission was in Laos from 14 September to 13 October 1959. Secretary-General Hammarskjold visited Laos in November and announced that Sakari S. Tuomioja would be his personal representative in the country.

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that a second Geneva Conference was agreed upon to deal with the problem. Its 14 members (the original 9 from the 1954 conference, plus the ICC nations--India, Canada and Poland--plus Burma and Thailand) negotiated for 14 months, during the bulk of which time that party which could be described as the object of the exercise, Laos, was unrepresented. Finally, the 3 Princes of Laos agreed on a new coalition structure of government and on 21 July 1962, precisely 8 years after the final date of the original Geneva Conference, the texts of the Declaration and Protocol on the Neutrality of Laos were approved. The signature ceremony was held two days later; all members of the conference signed the Protocol; all except Laos signed the Declaration.

(3) Vietnam - Both parts of Vietnam were specifically prohibited from entering alliances, allowing foreign bases or the importation of military men or materiel. The presumption is clear that both sides envisaged that the French would remain in South Vietnam until the political settlement expected to follow in about 2 years. Foreign military personnel in both the North and South could remain at the same strength as at the time of the Agreements and military materiel could be replaced.

These provisions of the agreement did not work out well in practice, although no great concern was generated about their failure so long as peace seemed to be prevailing between the two sides. The procedures and machinery for controlling, or at least observing, the flow of men and equipment in and out of the two zones might have worked with full cooperation by all concerned. But cooperation was just not to be had. The ICC teams were never able to detect the import of military equipment into North Vietnam, although it was clearly taking place, and would not until 1962 agree that North Vietnamese support of subversion in the South was a matter with which the Commission should concern itself.

The French withdrawals of its forces of 140,000 men and vast quantities of military equipment, urgently needed for use in the worsening French-Algerian conflict, were not properly recorded in the ICC system. Similarly, export by the U.S. from South Vietnam of American aid materiel recovered from the departing French forces was not reported to the ICC. As a result, introduction of even very modest amounts of American military aid for the South Vietnamese or small increases in American personnel in the country became technical violations of the Agreement. These U.S. personnel, for the expanded

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Military Assistance Advisory Group (MAAG), the Temporary Equipment Recovery Mission (TERM), the Training Reorganization Inspection Mission (TRIM) and the Combat Arms Training Organization (CATO) were cited by the North Vietnamese as evidence that the South had joined the SEATO bloc in further violation of the Agreement.

By 1960 all pretense to enforcing limitations in the arms control area was substantially dropped.

The political features were the most frustrating problems of the Agreements. Free movement of civilians to the other zone and prohibition of reprisal were features of special significance in Vietnam where the country was to be partitioned. Particularly vulnerable were the approximately 1 million Catholics, mostly loyal supporters of the French, who lived north of the demarcation line. The civilian exchange period lasted for 330 days (300 days in Article 14 d, extended 30 days, until 20 July 1955 by agreement) during which some 850,000 people moved from the North to the South and some 130,000 in the other direction. The figures include troops (130,000 and 90,000, respectively) and also their dependents. North Vietnamese authorities harassed, rather than assisted, evacuees from the North but were largely successful in covering their tracks from the ICC.

With respect to the no-reprisals provision, similar developments took place. Although North Vietnamese actual violations of this and related provisions far exceeded those in the South, they were able by frustrating, rather than rejecting, the ICC attempts to investigate and by overloading the petition system (headed by a Polish member of the ICC) to throw most of the blame for violations on the South. In disgust at what it considered the double standards being applied by the ICC, South Vietnam after 1956 simply ignored all charges under this article of the Agreement.

In the case of Cambodia and Vietnam, the Agreements of Geneva envisaged political settlement through elections, in 1955 in Cambodia and in 1956 in both parts of Vietnam.

Elections were held in Cambodia on 11 September 1955 with 82 percent of the vote and all the seats in the National Assembly going to Prince Norodom Sihanouk's party.

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The ICC, particularly the Indians, had attempted a significant supervisory role in the elections but had been outmaneuvered by Sihanouk. Admitting that it had been reduced to observing, the ICC nonetheless agreed that the Cambodian elections completed the political settlement for that country.<sup>1</sup>

The Vietnamese cease-fire Agreement contained only a passing reference to general elections for Vietnam. The unsigned Final Declaration added that elections should be held in July 1956 and that consultation between "competent representative authorities" of the two sides on elections would begin a year earlier on 20 July 1955. Both the U.S. and South Vietnam announced reservations with respect to the Final Declaration.

From April 1955 onward the North Vietnamese attempted to arrange consultation to plan for the elections, and heavy pressure from all sides was placed on the South Vietnamese Government to agree. However, Diem resisted on the grounds of the 1954 reservation at Geneva and the impossibility of free elections under the North Vietnamese regime. On the deadline date, 20 July 1955, three weeks of organized mass demonstrations against the Geneva accords came to a climax with attacks on the ICC whose personnel were assaulted and their property looted and burned.<sup>2</sup>

From July 1955 to July 1956, despite further appeals to begin the consultation which would lead to elections and threats of the dire consequence which might follow if he did not, Diem remained adamant. By 20 July 1956 it was clear to all that this essential feature of the Geneva Agreements was dead for all practical purposes.

The Laotian Agreement did not specifically call for elections as the means to political settlement. Instead a period of political adjustment was to take place in which Pathet Lao forces would be partially disbanded and partially integrated into government forces and Pathet Lao leaders would share in the administration of the 2 provinces in which they were concentrated. Elections in 1955 would complete the process.

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<sup>1</sup> Great Britain., Fourth Interim Report of the International Commission for Supervision and Control in Cambodia, April 1 1955 - December 31, 1956, Cambodia No. 1, Cmdd 9671, 1956, p. 17.

<sup>2</sup> At the same time, South Korea was conducting demonstrations against the Neutral Nations Supervisory Commission in that divided country.

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However, the political adjustments never could be agreed upon between the Government and the Pathet Lao. When the elections were held 25 December 1955 the Pathet Lao boycotted them. Three years followed in which political factions in Laos continued to spar for advantage. Innumerable schemes were suggested and many agreements reached which turned out not to be workable in practice. It was 4 May 1958 before an election was held with full participation. It did not, of course, constitute the long-awaited political settlement, as subsequent developments showed. Nevertheless, the Laotian Premier on 22 May 1958 informed the ICC that the Geneva obligations had been fulfilled and hinted that it was time for them to leave.

The supervision and control features set up by the 1954 Geneva Agreements underwent many changes in the course of mixed successes and failures in carrying out their role.

(1) In a development which one might suspect would practically have rescinded the agreements, but did not, one of the two sides to each of the 3 basic agreements in effect disappeared from the scene.

For Cambodia it was simply the fact that the signatory other than the government of Cambodia was the Vietminh represented by the DRV in Hanoi with no claims to an existence inside Cambodia. Anxious to get rid of the 20-man Vietminh delegation to the Cambodian Joint Commission (JC), Sihanouk engineered the complete disbanding of the JC on 20 October 1954 following the "political settlement," represented by the 11 September elections, and the withdrawal from the country of the last Vietminh troops. Thereafter, the ICC had only one party of the Cambodian Agreement to deal with. Sihanouk was unhappy with the ICC's performance during the 1955 elections also and suggested that its role had ended. However, as ICC debates about its dissolution dragged on into 1956, Sihanouk came around to a position where he wanted it to stay on as a protection for Cambodia against Thailand and South Vietnam, neither of which, of course, was a party to the Geneva Agreement on Cambodia. The ICC still remains in Phnom Penh at greatly reduced strength and, for all practical purposes, with nothing to do.

With respect to Laos, whose Agreement at Geneva in 1954 had been signed by a French officer on behalf of the French High Command, the dissolution of the French High Command effective 28 April 1956 removed one side from the agreement. Since

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this conflict had more of an internal Laotian complexion, the Royal Laos Government and the Pathet Lao were the two sides with which the ICC dealt and the French withdrawal caused no serious difficulty.

Against Pathet Lao objections the JC for Laos was abolished in February 1955.

Following the country-wide elections of May 1958, the Laotian Government requested the ICC to fold up its operations in the country. Disbanding of the Commission was opposed by all the communist parties involved and by India. A compromise was reached whereby the ICC in Laos adjourned sine die on 19 July 1958. Thereafter, for 3 years as the situation in Laos became more and more unstable and threatening, cries to reactivate the ICC and to recall the Geneva Conference became such a roar that both actions were taken in 1961.

Vietnam's cease-fire agreement at Geneva had also been signed by the French General Detiel. Unlike the case in Laos, the obvious successor to the French commitments of the agreements, after the French withdrawal in 1956, the government of Vietnam, had from the first, consistently and officially opposed the Agreements. It refused to accept the commitments even after the French departure left the bilateral structure standing on one leg, promising only a sort of de facto cooperation.

The JC in Vietnam had a continuing function to perform even after the 300-day regroupment operation had been completed: coordination of actions by the two sides with respect to the Demarcation Line and the Demilitarized Zones. The French withdrew their delegation from the JC in April 1956 but on appeal from the ICC and the Co-Chairman agreed to return as liaison between the JC and the government of South Vietnam. This procedure was unacceptable to the North Vietnamese. In 1958, after the complete departure of the French, North Vietnam tried to reactivate the JC but the South Vietnamese were unwilling. Thus, since 1956 this body has not operated.

The future of the ICC in Vietnam became unclear as the scheduled date for general elections passed with growing certainty that there would be no political settlement along that

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route. Its control and supervisory activities have contracted in the subsequent years to practically nil. Repeated reductions in personnel began to be made in 1957 and today only a facade remains.

The Co-Chairmanship developed as the only residual machinery of the 1954 Conference and, despite British claims that the function was only a matter of practical convenience and involved no special responsibility, the role came to be generally accepted as implying an authority above that of the other members of the Conference.<sup>1</sup>

From 1954 to 1961 the Co-Chairmen received eleven interim reports from ICC/VN, seven from ICC/C and 4 from ICC/L in addition to a number of special reports. Problems dealt with by the Co-Chairmen in this period concerned the original financial question (not resolved until 1956), the free movement of civilians between zones, the withdrawal of French authority, the failure to hold elections and reprisals against former opponents. The Co-Chairmen could usually not agree on any significant steps and left questions unanswered.

The Geneva Conference of 1961-62 on Laos temporarily invigorated the Co-Chairmen function but by the beginning of 1965 all vestiges of cooperation between the two had disappeared and the Co-Chairmanship was inoperative on substantive matters.

D. 1961-1962 CONFERENCE ON LAOS

As previously noted, the situation in Laos went from bad to worse in the years following the 1958 election which the government had claimed as the final step in the Geneva program of 1954 for Laos.

As the flow of Soviet military supplies to the Pathet Lao grew and increasing numbers of North Vietnamese troops entered the struggle, U.S. efforts to keep Laos anti-communist oriented also increased. U.S. military supplies and instructors moved into the country.

During 1960 a series of crises occurred as governments were overthrown and 3 rival regimes set up. The situation became even more unstable and more threatening as outside

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<sup>1</sup> Document, Cmnd 2834, op. cit. p. 20.



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intervention on a large scale seemed imminent. In December 1960 Prime Minister Nehru proposed to the Co-Chairman that the ICC for Laos be reconvened and in January 1961 Prince Sihanouk proposed a new Geneva Conference of 14 powers.

Western insistence upon, and Communist objection to, a verified cease-fire in Laos prior to the convening of the conference delayed its opening until May 1961. Additional delay occurred in determining which of the Laotian factions should be represented at the conference. A cease-fire under ICC supervision was called for on 24 April and by 12 May was verified to be in effect. The conference finally opened on 16 May 1961 with no representative of the Royal Laos government. Prince Sihanouk, as the initiator of the 14-nation conference proposal, chaired the opening ceremony; thereafter the British and Soviet co-chairmen alternated. Meeting in UN offices in Geneva, the conference held 42 plenary meetings, 44 restricted meetings and innumerable meetings of committees and the Co-Chairman. By January 1962 most of the main parts of an agreement had been roughed out, but the internal deadlock persisted in Laos. No formal meetings were held by the conference between 23 January and 2 July 1962. Finally, on that latter date the conference welcomed to the table for the first time a united delegation representing Laos, and, after 3 further meetings final agreement was reached on the Declaration on the neutrality of Laos and the Protocol thereto.

The early progress of the conference was made considerably easier by the Kennedy-Khrushchev Vienna agreement to seek a neutral, independent Laos under international guarantees. Pressure from all sides was brought down on the 3 Laotian Princes to resolve their differences. At a crucial point in early 1962 the U.S. withheld for one month its cash budgetary subsidy to the Royal government.

The lessons from eight years of experience with the 3 ICCs established by the Geneva Conference of 1954 was there to guide the participants in the 1961-62 conference. It is interesting to note the changes that were proposed by various parties and the format that was ultimately accepted.

#### Military features

Withdrawal of all foreign military personnel (except for a few French trainers) was to take place on a 75-day time schedule which would permit supervision and control of the

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process along designated routes. This provision corrected the arrangements of 3 years earlier by which a portion of such actions took place before control measures could be established and at places where control was impossible. "Foreign military personnel" was defined so as to include advisors, technicians and other categories, even if civilians. The communist participants had sought a 30-day withdrawal deadline.

Arms Control features

Introduction of foreign military personnel or war material was prohibited except for the conventional armaments considered necessary for defense by the Royal government. All aid must be free of political conditions.

Laos was not to allow, and others were not to seek, foreign bases, military alliances, or the use of Laotian territory to interfere with other countries (the "corridor issue") and vice versa. The protection of SEATO was not recognized. The communist negotiators had insisted on the SEATO denial whereas the U.S. had sought inclusion of the "corridor" provision.

Political features

Laos would apply the "5 principles," establish friendly relations with all her neighbors and follow the path of peace and neutrality.

The ICC was to cooperate with and operate with the concurrence of the Royal government.<sup>1</sup>

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<sup>1</sup> This requirement for the cooperation and/or concurrence of the Royal government occurs in most articles of the Protocol dealing with ICC functions (articles 9, 10, 11, 12, 13, 15, 16). Article 9, the first and general article dealing with the subject, is as follows: "Article 9: The Commission shall, with the concurrence of the Royal Government of Laos, supervise and control the cease-fire in Laos.

The Commission shall exercise these functions in full cooperation with the Royal Government of Laos and within the framework of the Cease-Fire Agreement or cease-fire arrangements made by the three political forces in Laos, or the Royal Government of Laos. It is understood that responsibility for the execution of the cease-fire shall rest with the three parties concerned and with the Royal Government of Laos after its formation." /Footnote continued on next page.<sup>7</sup>

Supervisory and Control features

It was in this area that the greatest efforts were made to correct the weak points of the 1954 format. First and foremost, the Co-Chairmanship was institutionalized and they were, in fact, empowered to "exercise supervision over the observance" of the agreement.<sup>1</sup> They were not given a controlling role over the ICC, however, as the communist negotiators had sought.

The troika character of the ICC was maintained but certain changes desired by the Western negotiators and their friends<sup>2</sup> were incorporated.<sup>3</sup> The communist objective had been to weaken the ICC so that it functioned only by direction of the Co-Chairmen or at the request of the 3-sided, and therefore veto prone Laotian government. The initiation of investigations by majority vote and the possibility of including minority views in ICC reports were features sought by the West which were included. The requirement for more frequent periodic and special reports to the Co-Chairmen by the ICC was spelled out, and they were to have control of their own transport and communications. A provision was included aimed at blocking

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/Footnote continued from prior page./

It was the U.S. Geneva delegation's conviction that the meaning of these various statements was that concurrence by the government would be signified by its signature to the Protocol. In practice, the communist parties to the Agreement held that not only was the government's concurrence required in each specific case, but that all three political forces within that government had to join in the concurrence or request.

- 1 Protocol, Article 8.
- 2 The term "Western negotiators and their friends" includes the so-called "friendly seven" of the 14 powers at Geneva: Canada, France, U.K., U.S., Thailand, South Vietnam and the Royal government of Laos.
- 3 The U.S. unsuccessfully suggested several schemes to alter the Troika structure of the ICC. There was no support. India's Krishna Menon particularly opposed any change.

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the device of hamstringing the ICC by one of the three members absenting himself. The West was unable, however, to get language included to spell out freedom of access or to establish "operating centers" for ICC teams at points of entry and major communication centers in Laos.

The question of duration of the ICC function was addressed and provisions were included for the government of Laos or the Co-Chairmen to raise the question for decision by the conference members. An automatic review was provided for after 3 years.

Provisions dealing with costs of the Commission, omitted from the 1954 Agreements, were included in Article 18 of the 1962 Protocol. Canada, India and Poland were to pay the salaries and allowances of their own personnel. Laos was to provide accommodations and such other local services as it could. Other costs were to be paid from a pool to which the members of the conference would contribute as follows:

88 percent (17.6 percent each) Communist China, France, USSR, U.K., U.S.

9 percent ( 1.5 percent each) Burma, Cambodia, Laos, North Vietnam, South Vietnam, Thailand

3 percent ( 1 percent each) Canada, India, Poland

100 percent

E. AFTERMATH IN LAOS

Very briefly it can be stated that this machinery for the 1962 Agreement on Laos, over which there had been so many months of squabbling, worked not at all in practice.

By the end of the 75-day deadline (7 October 1962) for withdrawal of foreign troops, 666 Americans and 403 Filipino contract personnel, covered by the Protocol, had departed, but the 3 ICC checkpoints finally permitted by the Coalition government had checked only 40 of the estimated 8-10,000 North Vietnamese troops who should have been withdrawn.

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None of the plans for integrating the government administration, armed forces and territory could be implemented. Intermittent conflict and political assassinations kept the situation in turmoil. The veto held by the communist faction in the 3-sided government, coupled with the veto and stalling tactics of the Poles in the 3-sided ICC, could stymie any action which they opposed.

Matters came to a head in March-June 1963 when, after 3 majority ICC reports by the Indians and Canadians over Polish objections, all hopes of ICC effective functioning disappeared. Similarly, when the problems were referred to the Co-Chairmen, the Soviet unfailing support of the position of the communist faction and the Polish member prevented any effective guidance from that source. In effect, it amounted to a third level of veto in the system. The war was on again. The 1962 Geneva Agreement had failed.

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ARMS CONTROL ARRANGEMENTS OF THE  
1954 GENEVA AGREEMENTS

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In this Annex will be considered the arrangements for the following activities applicable to one or more of the 1954 Agreements:

- (1) Cease-fire and disengagement
- (2) Initial regroupment of troops, Demilitarized Zone
- (3) Final regroupment of troops, withdrawal of foreign troops, Demobilization
- (4) Rotation or introduction of troops
- (5) Control of armaments
- (6) Bases and alliances

(1) Cease-fire and Disengagement - In all three Agreements the date for the commencement of the ICC operation was set at "the time of the cessation of hostilities in Indochina."<sup>1</sup> Accordingly, it was the 2 military commands concerned in each area, through the JC's and their subordinate groups, who had the responsibility for planning, executing and supervising the cease-fire and initial disengagement of opposing forces. The principle which operated was a "simultaneous" cease-fire with delayed effective dates to allow for the time required for orders to be received. Both sides agreed not to engage in large scale operations between a first date, (or the date of the Geneva signatures, for Cambodia and Laos) and a last date for complete effectiveness of the cease-fire. The first and last dates were as follows:

	<u>First</u>	<u>Last</u>
Cambodia	0800 23 July 1954	0800 7 August 1954
Laos	2400 20 July 1954	0800 6 August 1954
North Vietnam		0800 27 July 1954
Central Vietnam	0800 27 July 1954	0800 1 August 1954
South Vietnam	0800 27 July 1954	0800 11 August 1954

From all reports the JC structure in Vietnam planned and executed the cease-fire and disengagement very efficiently; little supervision was possible or necessary. The orders were

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<sup>1</sup> The decision was taken at the New Delhi meeting 1-7 August 1954 that this effective date for the ICC would be 11 August 1954. Western negotiators at Geneva, particularly the American ones, had wanted the ICC in position at the start, rather than the end, of the cease-fire process.

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disseminated widely; the French High Command provided light aircraft to transport 15 PAVN liaison officers for this purpose. At the cease-fire all operations were to cease, including reconnaissance, and no firing for any purpose was permitted. Contact was to be broken completely and troops assembled in camps at least 3 kilometers from the camp of the opposing forces. One instance of significant violation occurred when a 1,500-man irregular pro-French Force in the Red River area of Northwest Vietnam ignored the cease-fire order and continued to operate for a period of time.<sup>1</sup>

In Cambodia the cease-fire was effected successfully with little or no planning or supervision since the JC was not even established as yet.

In Laos, the JC did not hold its first meeting until 9 August 1954. Nonetheless, by 6 August combat had ceased in most areas, with the exception of Sam Neua and Phong Saly provinces where Pathet Lao troops continued to attack government forces.

(2) Initial regroupment of troops - Demilitarized Zones - Different provisions applied in each of the agreements for regrouping and separating troops prior to withdrawal, exchange or demobilization. In Cambodia, where the government would control all of its territory and all of its forces, no regroupment was provided for. In Laos a 2-step regroupment process was prescribed. Although no territorial partitioning was envisaged for Laos in the Agreement, such a situation actually developed. In Vietnam elaborate 2-step regroupment provisions were involved, with as much as 10 months between the 2 steps. A Provisional Military Demarcation Line (MDL) and 2 adjacent Demilitarized Zones (DMZ) were established. Both the JC and the ICC had roles in this phase in Laos where developments critical for the success of the agreement took place. In Vietnam the ICC had little to do with initial regroupment and the operation was conducted with no great difficulty.

In Laos 4 different armed forces were involved: French, Laotian government, Pathet Lao and Vietminh. The government forces were to remain in situ; all others were supposed to regroup within 15 days into provisional assembly areas: 5 for

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<sup>1</sup> B.S.N. Murti, Vietnam Divided, (New York: Asia Publishing House, 1964), p. 23.



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the French, 5 for the Vietminh and 12 ("one for each province") for the Pathet Laos. The exact areas were to be fixed by the JC.<sup>1</sup>

The JC could agree on the 5 French assembly areas but could not agree on those for the Vietminh and Pathet Laos, who between them wanted assembly areas in all the provinces bordering on Cambodia or North Vietnam and, in addition, wanted the entire provinces of Sam Neua and Phong Saly. The 15-day deadline extended to more than 7 weeks during which Vietminh and Pathet Lao forces continued to move about. By the time this phase was completed on 29 September the Pathet Lao had more than doubled their strength (from 1,500 to 4,000) by recruitment, some of which was undoubtedly forced recruitment, and had established a firm grip on the 2 provinces. Worse, they had to a degree established their right to Sam Neua and Phong Saly.

In Vietnam the initial regroupment of forces was to take place also within 15 days but, because of the staggered cease-fire dates, the schedule for regroupment progressed from North to South, giving about 3 weeks more time for the process to Vietminh forces in South Vietnam than for French regroupment in the North.

In the North, French forces were to assemble by 10 August in one large area: Hanoi-Haiduong-Haiphong. In fact they were already within this area by the date the Geneva Agreements were signed.

In the Center, Vietminh forces were to assemble by 16 August in a single area along the coast, comprising 2 provinces (Quang Ngai and Binh Dinh) in their entirety.

In the South, Vietminh forces had until 26 August to assemble in 3 large areas, one east and one west of Saigon and the entire southern tip of the country (Pointe Camau).

The first 9 articles of the Vietnamese Agreement concerned the Provisional Military Demarcation Line (MDL) and the Demilitarized Zones (DMZ). The MDL was near the 17th Parallel

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<sup>1</sup> Laotian Agreement, Articles 11 and 12.

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and its exact course was plotted on a map attached to the Agreement.<sup>1</sup> For part of its initial course the line follows a river and then goes overland to the Laos border. It extends seaward on a line perpendicular to the coast. Its exact trace on the ground was established by the JC team prior to 27 August 1954 and marked with bilingual signs:

Ligne de demarcation militaire provisoire  
Gioi Tuyen Quan Su Tam Thoi

Only the JC and the ICC and their teams, or other persons specifically authorized by the JC, could cross the MDL.

Similarly, 2 DMZ's, up to 5 kilometers in width, were laid out by the JC team on either side of the MDL and marked by intervisible signs bearing the letters "KFQS," the initials of the Vietnamese words for demilitarized zone.

No unauthorized person was to be allowed in the DMZ. Each side was allowed 20 administrators for their zone and a civil police contingent of 100. A fixed JC team was established at either end of the Hien Luong Bridge crossing the MDL. Ten other specific crossing sites were identified. In addition, the ICC established a fixed team at Gio Linh south of the MDL. It was of sufficient size to operate as two teams, one to the North and one to the South.<sup>2</sup>

With the withdrawal of the French from the JC in 1956, the administrative arrangements for DMZ supervision deteriorated. The ICC DMZ team operated into the mid-1960's but only in a pro forma way. Nonetheless, the status of the DMZ was maintained for many years. Fighting moved closer to the DMZ after 1965. On 30 July 1966, U.S. B-52 strikes were made on growing North Vietnamese troop concentrations in and near the DMZ. In February 1967 U.S. artillery fired across the DMZ into North Vietnam. April 1967 the U.S. and Canada made separate proposals for restoring the DMZ. Both Hanoi and the Viet Cong rejected the proposals. In May 1967, U.S. and South Vietnamese forces began conducting ground sweep-type operations into the

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<sup>1</sup> The 16th Parallel had historic and geographic significance as a dividing line in Vietnam. At Geneva the French had tried for as far north as the 22nd Parallel and the Vietminh as far south as the 13th. Compromise fixed it at the 17th.

<sup>2</sup> Murti, op. cit., pp. 29-31.

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DMZ south of the MDL. On 7 September 1967, Secretary of Defense McNamara announced the decision to construct an anti-infiltration barrier south of the DMZ. The Premier of Laos announced his opposition to any such barrier being extended across Laos (26 September 1967).<sup>1</sup> The concept of the DMZ between North and South Vietnam seems to continue to have validity. U.S. aims in the Paris peace talks have included restoration of the DMZ as a high priority item for discussion, considering it a logical first step in a settlement.

(3) Final Regroupment of Troops, Withdrawal of Foreign Troops, Demobilization - In both Vietnam and Laos, where there had been an initial regroupment phase, a final regroupment operation was involved. In Laos and Cambodia, but not in Vietnam, a withdrawal of foreign troops was required. In Cambodia a demobilization was also envisaged and such an operation was possible under the Laos agreement.

#### Vietnam

The final regroupment of forces north and south of the 17th Parallel in Vietnam was based on a 4 stage time sequence: 80 days (10 October 1954), 100 days (30 October 1954), 200 days (7 February 1955) and 300 days (19 May 1955). It was accomplished on schedule.

The ICC at its Hanoi headquarters played a useful role when problems arose with respect to removal of essential public property by the French as they successively evacuated Hanoi (80 days), Haiduong (100 days) and Haiphong (300 days). An observer with the ICC has described the Hanoi and Haiphong transfers as model operations with detailed planning and efficient execution.<sup>2</sup>

The French had about 130,000 of their personnel and 155,000 tons of cargo including 16,000 military vehicles to regroup from their shrinking perimeter in the North. The Vietminh also had about 130,000 of their military personnel (87,000) and "administrative cadres liberated POW's and families" (43,000) to regroup from the South, mostly with just

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<sup>1</sup> U.S. Congress, Senate, Committee on Foreign Relations, Background Information Relating to Southeast Asia and Vietnam, 91st Cong., 1st Sess., 1969, Chronology Section, pp. 1-73.

<sup>2</sup> Murti, op. cit., pp. 33-35, 42-44.

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personal baggage, but also including 244 vehicles and 28 artillery pieces. The French furnished some transportation for the movement of Vietminh to the North but most of them were moved in Russian, Polish and Norwegian ships (5 ships altogether).

Because of a lack of precision in the Geneva Agreement on Vietnam and the ICC's disinclination to rule on the issue, a problem arose over the transfer of territory as the Vietminh departed the single large regroupment area in Central Vietnam in 3 increments over 300 days. The 3-stage withdrawals by the French from the North and the one-by-one withdrawal by the Vietminh from their 3 regroupment areas in the far South obviously entailed the transfer of territory. However, in Central Vietnam the Vietminh resisted any significant territorial turn-over coincident with the first 2 withdrawals. Thus, they were able to retain control of one province and a large part of a second through the whole of the 300 day regroupment process.

Lack of coordination between the French military and the government of Vietnam, together with the internal difficulties and inexperience of that government, made for much confusion as South Vietnam tried to reestablish administrative control in the areas vacated by the Vietminh.

Cambodia

Article 4 and 5 of the Cambodian Agreement called for the demobilization "on the spot," within 30 days (22 August 1954), of the Khmer Resistance Forces and the withdrawal of foreign armed forces within 90 days. Among "foreign armed forces," the French were named explicitly but the Vietminh only as "the combatant formations of all types which have entered the territory of Cambodia from other countries or regions of the peninsula." The JC was to determine detailed procedures for the withdrawals and both the JC and ICC were to supervise.

However the ICC was not in place in Cambodia until 11 August 1954 and for several weeks had no inspection teams in the field. The JC was not formed until 20 August.

The demobilization of Khmer Resistance Forces was announced by the Vietminh as having been accomplished unilaterally prior to the deadline. The Cambodian government complained to the

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ICC but neither was in position to do anything about it.<sup>1</sup>

Similarly, the French moved out of Cambodia unsupervised.

The ICC did supervise an evacuation of 2,384 Vietminh, but since this was probably less than half of the Vietminh force in Cambodia, the operation can hardly be called a success. Cambodia complaints to the ICC were unavailing.

Laos

The final regroupment date for Laos was established as 19 November 1954 (120 days after Geneva). According to Article 14, Pathet Laos forces were to regroup from the provisional assembly areas into the provinces of Phong Saly and Sam Neua, "except for any military personnel who wish to be demobilized where they are."

Foreign forces were to withdraw from Laos by the same deadline. The JC was to arrange the details and both the JC and ICC were to supervise. Both sides were to advise the ICC and each other of their withdrawal schedules by 15 August and were to give 4 days notice to the ICC of each movement so that supervision could be arranged.

Although the ICC reported that the regroupment of Pathet Laos and withdrawal of French and Vietminh took place before the deadline, their supervision of the operations was hardly adequate for such a determination. Of the approximately 3,000 Pathet Laos who were supposed to enter the two provinces, ICC teams saw no more than half and under such conditions as to be unable to determine their actual destinations. French withdrawals were observed only from the southern part of Laos. (The French were permitted to leave 5,000 men in Laos). Only a little over 1,000 of the estimated 5,000 Vietminh leaving Laos were checked by the ICC teams and their actual departure from the country had to be taken on faith.

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<sup>1</sup> One observer has reported what seems almost an understatement: "Certainly no one in his right mind would have agreed to the unsupervised disarming and disbanding of native rebel forces by their foreign military commanders in an area where guerrilla warfare was a constant threat." Anita Lauve Nutt, Troika on Trial: Control or Compromise?, Vol. I (Unpublished study, September, 1967), p. 143.

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In addition to the failure of cooperation on both sides and intentional deception by the Vietminh and Pathet Laos, the lack of adequate air transport for the ICC teams was a major factor in their inability to supervise the regroupment and withdrawal operations.

(4) Rotation or Introduction of Troops - There were few restrictions on Cambodia in this respect and these were self-imposed by their delegation's declaration at Geneva which was incorporated into Article 7 of the Agreement. Until the political settlement, which was subsequently determined to have occurred by October 1954, Cambodia was not to solicit foreign personnel or instructors "except for the purpose of the effective defense of the territory." The ICC was charged with supervising "at ports and airfields and along all the frontiers of Cambodia" (Article 13).

In Laos, the 1954 Agreement allowed 1,500 French officers and non-commissioned officers to remain in the country as instructors (Article 6), plus 3,500 "effectives" for 2 permitted French bases (Article 8). All other reinforcements from outside Laos were prohibited (Article 6). French military personnel entering Laos were restricted to the 7 points of entry prescribed for the entry of armaments (Article 10). The ICC was responsible for supervising "at ports and airfields and along all the frontiers of Laos" the regulations on the introduction of military personnel (Article 27). Oddly the location of the 7 fixed ICC team did not coincide in 3 instances with the 7 ports of entry.

In Vietnam somewhat more complicated provisions on troop rotation and introduction were required because of the 300 day regroupment phase and the continued presence of French forces. Reinforcement or rotation of the French units in the North was prohibited during the 300 day regroupment phase except for individuals who could not exceed 50 in any one month. No such regulation applied to Vietminh forces in the South.

Introduction of reinforcements and additional military personnel into any part of Vietnam was prohibited. Rotation of units up to battalion size and of individuals on a man-for-man basis was limited to 15,500 men per quarter. Entry points, 7 in the North and 7 in the South, were prescribed. The ICC was responsible for supervision of these provisions

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"at ports and airfields as well as along all frontiers of Vietnam." The ICC fixed team locations specified in the Agreement coincided exactly with the points of entry. Each party was required to give 2 days notice of arrivals or departures of personnel and submit daily reports.

Although undoubtedly there were comings and goings of Soviet and Chinese military advisers and technicians in the North, and certainly crossings in both directions of the Laos-North Vietnamese border, ICC teams in the North were never able to detect a single violation. There were far more interesting opportunities in the South for their supervision.

Continuation of the 342-man U.S. Military Assistance Advisory Group (MAAG) in Saigon, since it existed prior to the Geneva Conference, was not prohibited by the agreements, but any increase in its strength would presumably be a violation.<sup>1</sup> For almost 6 years, until late 1960, South Vietnam reported U.S. military arrivals to the ICC. However, unscheduled arrivals and unobserved departures of American military personnel provided ample opportunities for the recording of violations.<sup>2</sup> From 1961 onward reports to the ICC on U.S. personnel arrivals and departures were no longer made.

The 140,000 French troops in South Vietnam were not only permitted to remain and replace themselves by rotation, but their continued presence was considered essential to the implementation of the Geneva Agreement. Undoubtedly it was a view mutually held at Geneva by the Communist negotiators and

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<sup>1</sup> Until 1960 the U.S. observed the 342-man ceiling on MAAG. In February 1960, long after the departure of French instructors and advisers, and at the request of the South Vietnamese government, the ceiling was raised to 685. The ICC took note of the increase and by majority vote (India, Canada) gave tacit approval. (Great Britain, Eleventh Interim Report of the International Commission for Supervision and Control in Vietnam, February 1, 1960-February 28, 1961, Vietnam No. 1, Cmd. 1551, 1961, para. 50.)

<sup>2</sup> For example, because of a peculiarity of applying different sources of funds for inbound and outbound transportation of MAAG members, they arrived in uniform on military planes and were checked by ICC teams; they departed in civilian clothes on commercial airplanes which ICC teams did not check.



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France that continued French presence in South Vietnam for a number of years was preferable to affording any excuse for American intervention.

Pressure on the French in Algeria and disillusionment in Vietnam, however, caused the French to withdraw half or more of their forces from South Vietnam from late 1954 through 1955. By January 1956 the Diem government decided to dispense with the French military forces altogether. In April 1956 the French High Command was dissolved and by August all French<sup>1</sup> forces had departed; a few instructor personnel stayed on.

The strength of neither of the indigenous armed forces of North and South Vietnam was restricted by the Geneva Agreements. At the cease-fire these numbered about 380,000 in North Vietnamese Forces and 225,000 in South Vietnamese Forces. In South Vietnam indigenous forces were reduced so that by 1957 the total of all 3 services was only 150,000 including Self Defense Corps, Civil Guards and police. Coupled with the withdrawal of 140,000 French troops, this reduction of 75,000 in the Vietnamese forces, offset by the introduction of only a few hundred American advisers, added up to an obvious and dramatic shrinking of military potential in the South. The British pointed this out in responding to a Soviet note complaining of violations and the "threatening position" in South Vietnam. The British reply contrasted the reduction of military forces in the South with the expansion from 7 to 20 divisions of the forces in North Vietnam between 1954 and 1956.<sup>2</sup>

(5) Control of Armaments - The provisions in the Geneva Agreements to prohibit or limit the introduction of armaments were quite similar to the restrictions on personnel. Since none of the countries had any arms industry to speak of, controls on arms importation, if carried out, would have been an effective rein on any expansion of forces.

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<sup>1</sup> The French and the U.S. shared the training function in South Vietnam until 28 April 1956. French instructors stayed for the Vietnamese Air Force and Navy until 31 May 1957 when MAAG also completely assumed that function. The only French instructors after that date were a few with the Gendarmerie and Civil Guard.

<sup>2</sup> Document Cmdr 2834, op. cit., No. 65, p. 121; No. 67, pp. 124-125.

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Against strong pressure from India, which reportedly even offered to provide a military training mission itself, Cambodia entered into a Military Assistance Agreement with the U.S. on 16 May 1955. After weeks of haggling the ICC finally reluctantly accepted that this action was not a violation of the Geneva Agreement.<sup>1</sup>

Although there was far less real need to do so in Cambodia which was not partitioned, had no border with North Vietnam and was presumably assimilating its local dissident element, the ICC established and carried out strict controls over the importation of French and American armaments. Cambodia cooperated fully by providing adequate advance notification and subjecting all shipments to inspection. The ICC agreed that the quantities imported were modest.

In Laos, the government also had the right to import, under supervision, limited quantities of armaments--but only the government, not the Pathet Lao. None of the 7 points of entry was in the Northeast provinces bordering North Vietnam. The ICC confessed itself unable to even attempt to seal the borders of Laos. It was easier and less frustrating for them to concentrate on supervision of the legal government imports at the convenient points of entry. The Laotian government was a bit less efficient and cooperative than the Cambodians in complying with ICC procedures and was occasionally cited for violations. The Pathet Laos got off scot-free.

In the case of Vietnam, again, a much more complicated situation existed and the complications increased tremendously as the French withdrawal of forces and materiel took place. The Agreement had aimed at stabilizing the military forces and therefore had prohibited any introduction from abroad of armaments. It permitted the replacement of armaments destroyed or worn-out after the cease-fire (Article 17). The replacement had to be on piece-for-piece of the same-type basis, and be made through a specified point of entry under ICC supervision. This supervision had to include both the destruction or exportation of the equipment to be replaced and the importation of the replacement equipment. Each side had to give the ICC 2 days notice of each operation.

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<sup>1</sup> Great Britain, Third Interim Report of the International Commission for Supervision and Control in Cambodia, April 11, - July 28, 1955, Cambodia, No. 3, Cmnd. 9579, 1955.

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It took many months for the JC and ICC to work out the detailed procedures and in the meantime neither side reported imports or exports. When the procedures were settled they were extremely restrictive (known as Protocol 23). The French failed to report many outshipments of military equipment from Vietnam destined for France or Algeria. Likewise the U.S. MAAG, not considering that it had to comply with laborious administrative procedures of the JC-ICC, failed to report large quantities of U.S. equipment recovered from the French and outshipped from Vietnam (valued at over \$130 million by 30 June 1956).

By this failure of South Vietnam, the French and the MAAG to establish credits for most quantities of exported military equipment, South Vietnam became liable for many citations of Article 17 violations when even minor importations were made. North Vietnam, on the other hand, reported no importations and the ICC teams were able to discover none, despite the fact that it should have been completely obvious that they were taking place.

Disgusted with the double standard, South Vietnam in December 1961 ceased allowing the ICC to exercise control over armament imports.

(6) Bases and Alliances - By its own declaration at Geneva, Cambodia undertook certain commitments with regard to foreign alliances and bases, but there were sufficient gaps in the commitment to permit almost any type arrangement if Cambodia considered her security threatened. Any alliance or base not exclusively for protection of threatened Cambodian security would be a violation. The Indian and Polish commissioners, of course, opposed continued presence of French military instructors in Cambodia, the extension of the SEATO umbrella over Cambodia and the U.S.-Cambodian military aid agreement of 16 May 1955 involving a small supply-only MAAG of about 30 Americans. Sihanouk stoutly resisted these pressures and coaxed forth an ICC unanimous decision on 23 July 1955 which accepted the Cambodian position that none of these arrangements constituted a violation of the bases and alliance provisions of the Agreement.

Laos was permitted to have 2 French bases--one of which existed at Seno and the other could be established. Obviously,

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this meant that the Franco-Laotian Military Alliance of 1953 was also recognized. Other foreign troops, bases and alliances were excluded by the Agreement and the Laotian Declaration at Geneva of 21 July 1953, but again the loophole existed for such arrangements if Laotian security was threatened.

In the Vietnam agreement a categorical prohibition was contained in Article 19 against adherence to any military alliance, although the status intended for the existing Franco-South Vietnamese military arrangements was, at the best, ambiguous. "New military bases" (whether foreign or not) were prohibited throughout Vietnam. North Vietnam repeatedly attacked SEATO, the U.S. MAAG and the U.S./South Vietnamese agreement for direct aid (by-passing the French) as violations of the Agreement. The ICC, as in Cambodia, with some reluctance, decided that they were not.

EXTRACT FROM KCOMZ<sup>1</sup>  
LOGISTICS DIVISION  
ORIENTATION BOOK  
1953

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II. INSPECTION OF COMBAT MATERIEL

1. Port Commanders are responsible for providing to NNIT advance notice, when possible, of incoming and outgoing shipments except on "classified" materiel.
2. Port Commanders designate a liaison officer, preferably of the Ordnance Corps, to assist NNIT's.

OUTSHIPMENT - Sequence of events

1. Supply Organization in Korea forwards three copies of NOS (Notification of Outgoing Shipment) to Water or Aerial Port Commander.
2. When date and time of loading on vessel (or cargo aircraft) is "firm" Port Commander adds this data to copies #1 and #2 of NOS, then forwards copy #1 expeditiously to NNIT as advance notice. (If time element so indicates, advance notice is given to NNIT by telephone)

INSHIPMENT - Sequence of Events

1. Receiving Supply Agency in Korea receives advance shipping notice from offshore agency. Prepares 4 copies of NOS and forwards 3 copies to Water or Aerial Port Commander.
2. Port Commander notes date of arrival of cargo aircraft or berthing of vessel on copy #1 and forwards to local NNIT.

KCOMZ policy is to allow NNIT "full freedom of movement" in the sense that all cargo and places where cargo is off-loaded or on-loaded are accessible to the NNIT. When requested by NNIT, any box not containing classified materiel is opened for their inspection. KCOMZ

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follows these policies with regard to NNIT's as a whole, but considers that "inspections by individual members are not provided for by the Armistice Agreement."

REPORTING OF COMBAT MATERIEL

OUTSHIPMENT - Sequence of events.

1. Supply Organization prepares 4 copies of NOS (Notification of Outgoing Shipment) and forwards three copies to Port Commander.
2. Port Commander, after loading has been completed, indorses date of loading, name of vessel (or identification of cargo aircraft) on #2 copy of NOS, and forwards to CMC Group at Taegu.
3. CMC Group prepares DRO (Daily Report of Outgoing Shipments) from NOS as received daily from the Port Commander. DRO is prepared in 9 copies, 8 of which are forwarded to UNC MAC Secretariat. (Note: Upon arrival at UNC MAC Message Center, reports are routed through Logistics Division, for analysis, and reconciliation of errors and inconsistencies with CMC Group - by telephone.)
4. UNC MAC Secretariat refers 4 copies of reports to Language Division, for translation. 4 copies (in English only) to NNSC.
5. After translation two copies are turned over to KPA/-CPV side of the MAC Secretariat.
  - one copy is filed with UNC MAC Secretariat
  - one copy is returned to Logistics Division for posting to visible record file, then is sent to the P & A Division Central File.

INSHIPMENT - Sequence of Events

1. Supply Organization in Korea receives advance shipping notice from offshore agency.
2. Supply Organization prepares 4 copies of NIS (Notification of Incoming Shipment) and forwards 3 copies to appropriate water or aerial Port Commander.

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3. Upon arrival of shipment Port Commander indorses copies #2 and #3 with date of receipt, name of vessel or identification of cargo aircraft, then forwards copy #2 to CMC Group.
4. CMC Group uses copy #2 of NIS to compile DRI (Daily Report of Incoming Shipments.) DRI is then forwarded to UNC MAC, and distributed as with DRO above.

DESTROYED OR EXPENDED MATERIEL

1. All materiel destroyed or expended by UN units in Korea is listed on "DEE" Reports. (Destroyed, Expended or Evacuated) #1 copy is forwarded daily to CMC Group. Copies #2 and #3 go to the Supply Organization and are filed as "credits" against which replacement materiel may be requisitioned.

#1 copies are consolidated daily by the CMC Group. The resulting consolidation is on NDE Report (Notification of Destroyed and Expended), which is forwarded to UNC MAC, and handled in the same manner as DRO & DRI above.

III. INSPECTION

1. Port Authorities notify by:
  - a. Flight Plan
  - b. Schedule of regular courier flights.
2. Port Authorities notify NNIT by:
  - a. Telephone call.
  - b. Send runner to NNIT office.
  - c. Post arrivals on special scheduling board in NNIT office.
  - d. Notify CMC officer who usually knows the whereabouts of the NNIT.
3. NNIT Inspects, if they desire
  - a. Cargo
    - (1) On board the aircraft (NNIT not allowed in cockpit)
    - (2) In the cargo storage area.



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- b. Combat Aircraft
  - (1) On the flight line
    - (a) NNIT permitted to walk around the aircraft.
    - (b) NNIT not allowed to inspect or enter cockpit.

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- 1. Combat Materiel reported
  - a. To KCOMZ by CMC Officer at aerial port:
    - (1) NIS - Copy given to NNIT.
    - (2) NOS - Copy given to NNIT.
    - (3) DEE Report - not available to NNIT
  - b. To UNC MAC by CMC Group, KComZ:
    - (1) DRI
    - (2) DRO
    - (3) NDE
  - c. To MAC and NNSC by UNC MAC:
    - (1) 4 copies of DRI to MAC and 4 copies to NNSC.
    - (2) 4 copies of DRO to MAC and 4 copies to NNSC.
    - (3) 4 copies of NDE to MAC and 4 copies to NNSC.
- 2. Combat Aircraft reported:
  - a. To 5th Air Force by CAC officer at aerial port.
    - (1) Telephone call each A.M.
    - (2) TWX confirming telephone call.
    - (3) NIS - copy given to NNIT.
    - (4) NOS - copy given to NNIT.
    - (5) DEE Report - not available to NNIT.
  - b. To UNC MAC by CAC Group, 5th Air Force.
    - (1) DRI
    - (2) DRO
    - (3) NDE
  - c. To MAC and NNSC by UNC MAC.
    - (1) DRI - 4 copies to MAC and 4 copies to NNSC.
    - (2) DRO - 4 copies to MAC and 4 copies to NNSC.
    - (3) NDE - 4 copies to MAC and 4 copies to NNSC.

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3. In event an aircraft is destroyed in Korea, following action is taken:
  - a. By organization possessing the aircraft.
    - (1) Prepare DEE report and forward to 5th Air Force.
  - b. By 5th Air Force.
    - (1) Establishes credit for replacement aircraft.
    - (2) Reports the aircraft to UNC MAC on NDE.  
(SOP action by UNCMAC).
4. In event an aircraft is damaged in Korea and must be evacuated through a water port, the following action is taken:
  - a. By the organization possessing the aircraft:
    - (1) Prepare NOS and forward to Port Commander.
    - (2) Prepares DEE report and forwards to 5th Air Force.
  - b. By Port Commander:
    - (1) Endorses NOS to 5th Air Force indicating date of shipment and name of ship.
    - (2) Gives copy of NOS to NNIT.
  - c. By 5th Air Force:
    - (1) Establishes credit for the aircraft.

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<sup>1</sup> KCOMZ - Korean Communications Zone, the major U.S. logistical headquarters in Korea.

## ANNEX E

## EXTRACTS OF NNSC PLENARY MEETINGS

26th Meeting: (2 Sept 1953) General Rehner (Swiss) reminded the members that cables from the North reached Headquarters only after a relatively long time. Colonel Bibrowski said that Swedish and Swiss operators would not be allowed to operate radio stations but they would usually be allowed to use the earphone and keys. The Swedish and Swiss operators in the North were not allowed to send direct messages.

27th Meeting: (3 Sept 1953) Colonel Birbrowski (Pole)-- not his intention to exaggerate the shortcomings, but in his opinion the UNC local authorities had not paid sufficient attention to the needs of the team personnel and to the obligations of the UNC as had been promised at the Mixed Meeting.

General Wagrowski (Pole) further informed the Commission that Polish (and Czechoslovak) radio operators would be ready to send messages from Swedish and Swiss national groups of NNIT's. Regarding operations of Polish (and Czechoslovak) radio stations by Swiss radio operators, he informed that in spite of technical difficulties, as non-Polish radio operators would not be allowed to enter Polish radio stations, he would do his best to arrange for earphones and keys outside the station if that would be desired by the Swiss delegation.

28th Meeting: (5 Sept 1953) General Bures (Czech) "- - I am surprised that the Swedish delegate - - he thinks that this incident (UNC enlisted man striking a Swedish Member of NNIT) concerns only himself, and his group. But it was him who stressed here several times that obvious fact that the Commission is a joint organization, one body. He underlined this fact especially in regard to our inspection group and we can state with pleasure that our inspection teams cooperate, in majority of cases, very closely.

General Grofstroeme: (Swede) I advise the Member of Czechoslovakia not to overdo his indignation. I say that because it might create the impression that his motives are other than those he would like to create.

32nd Meeting: (12 Sept 1953) General Wagrowski (Czech) went on to recall the following instances:

At Inchon, an American Officer, Captain Davis had addressed a representative of the Team in a quarrel-some way.

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At Yongdong-po, the Deputy Commander of the Camp cursed the Polish Alternate Member in Russian.

At Taegu, it had been the attack on Captain Larsson by an American private.

At Kangnung, a Polish Member of the NNIT had been kidnapped.

At Taegu the transport facilities put at the disposal of the team had been insufficient - - -

General Grofstroeme (Swede) (referring to remark of General Wagrowski concerning Jan Hajdukiewicz) "Point of order, Mister Chairman, NNSC has up 'till now been free from any statements of a political character and I do suggest that we maintain that line, that high standard of our deliberation also in future."

36th Meeting: (21 Sept 1953) Incidents of an MP discharging his weapon near the Mess where Poles and Czechs ate; the forced landing of a UNCMAC aircraft with Poles aboard. General Wagrowski (Pole) "If incidents such as the shot by the MP soldier, the crash of a plane, the striking of a Captain to the point of bleeding, be passed over in silence, things would only get worse.

37th Meeting: (22 Sept 1953) On a request by Gen. Grafstroem (Swede) the following statement is verbatim:

Gen. Grafstroem: I have listened with great interest to the intervention yesterday by General Asper and the statement made today by Colonel Bibrowski. These things are very important and I do welcome the half-promise given by General Asper to give us some further clarification based on the statement made by Colonel Bibrowski today. With the exception of the communication system concerning which Colonel Bibrowski agreed that there were some shortcomings, it was not difficult for him to agree to it because we know it too well here and I am coming back that later on he did paint a rosy picture indeed of the conditions in the North. We would have been more convincing and if I may say so, it would have been more becoming if he had in some spots agreed with the remarks made General Asper yesterday. As it was he tried to prove that everything was the best in the best of worlds. In doing so on several occasions, proved a little bit too much. I am not going to dwell on all these points, but I will mention only one of them. He told us that cars, and he numbered the amount of cars of every team, that cars were available on a minutes notice on request. Well, it may be so, but the value of that immediate readiness is a little bit questionable. People have to announce their intention to have an inspection done two hours before they start. Everything in the North is spic and span according to Colonel Bibrowski. It is perfect order and perfect calm. This calm is more or less like a churchyard; it is the absolute silence. I will give you now

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some statistics which might interest you, and I require these statistics to be taken to the protocol. This is really a matter which interests us. It concerns inspection and observation in the North and in the South. I am, for your information, also going to give you the average times it has required for telegrams or messages to reach Headquarters from the North and from the South respectively.

Sinuiju. We have gotten up to now 7 telegrams concerning inspection and observation. All are negative. Nothing has been seen; nothing has been heard. The average time of telegrams - 49 hours.

Chongjin. We have received up to now 14 messages concerning observation and inspection. All negative; nothing seen; nothing heard. The average time for the messages to reach us - 12 hours.

Hungnam. We have received up to now 17 communications concerning observation and inspection. All negative; nothing seen; nothing heard. The average time for the messages to reach us - 28 hours.

Manpo. We have received 11 messages from Manpo concerning observation and inspection. Listen carefully, 1 positive, 10 negative. The positive one concerns the movement of 15 persons. The average time of the messages - 28 hours.

Sinanju. We have received 7 messages concerning observations and inspection. All negative. They have not seen anything; they have not heard anything. The average hour of time is 9 hours.

We go to the South.

Inchon. There are 21 messages concerning inspection and observation up to now. 19 positive messages; 2 negative ones. The average time  $5\frac{1}{2}$  (and one half) hours.

Taegu. 28 messages; all positive; the average time -  $7\frac{1}{2}$  (and one half) hours.

Pusan. 7 messages; all positive;  $4\frac{1}{2}$  (and one half) hours.

Kangnung. Average time - 3 hours; 4 positive messages and 9 negative messages: 13 altogether. That is the team which has been reduced.

Kusan. 16 messages concerning observation and inspection; 2 hours average time for the message to arrive here; 16 positive messages.

Well Gentlemen, this is mysterious. The perfect calm reigns in the North and our men are on the alert--they do not see anything; they do not hear anything. Colonel Bibrowski had some explanation about the fact that we have received information from the side concerning movements which had not been reported by the teams in question. He says that all the movement of personnel concerns personnel on temporary duty or short leave. Well even if that is true it ought to be reported. The teams have not seen anything and have not heard anything. But is it true?



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I have in front of me a report from the North Korean and Chinese side dated 17 September 1953. It concerns a report on personnel movement during a month in the North, 24,391 arrivals; 41,096 departures. I do not know if all these people were going on leave or on temporary duty. I doubt it. However the Side does not say anything in this report about it, so much more reason for our teams to really dig into this and find out. Have they done that? No, they have not seen a single soul--all is calm. Nothing happens north of the 38th parallel. Colonel Bibrowski talks something about Pusan. He said that our team had the same difficulty there. I doubt that. I have here in front of me a typical report from Pusan - daily report No. 30 of 20 September 1953: rotation of military personnel in Pusan. Arrivals permanent-38; temporary-379; departures permanent-75; temporary-245. Well, there you see that is a perfect report splitting the personnel on Temporary duty and on short leave and personnel on rotation purposes. The UNC side also when it reports to the MAC and to us concerning the movement of personnel has a list which is splitting permanent and temporary personnel. I would like to circulate it in order to give you an opinion as to how reports from the two sides are made. I want them back, please. Well, if you are not a bit perturbed about this complete silence in the North, I am. Is it, for instance, that there have been no export or import of war material during the past two months in the North? We all know how we have struggled with the import and export of material in the South and to which details and pains we have gone in order to find out if parts of different kinds are going to be counted or not. In the North we have been absolutely free from any trouble of that nature.

Well, although the welfare of our people in the North certainly lies very near to heart, I do submit that the question of inspection and observation is the main thing. That is what we have to really take an interest in. I do submit that we ought to take up this matter with MAC and find out from the Northern side how it is really possible that nothing happens.

Now I will end up by saying a few words about Dr. Ullmark.

Dr. Ullmark accompanied General Asper and he gave a professional report about what he had seen on that trip. I find such an attitude from his part very natural and I indeed welcomed the report that he gave. From the Polish and Czechoslovak side at this table, some objections were raised of a more formal character concerning these activities. If I were a member of the Polish delegation, I would not insist too much on the question of form considering the way the Polish delegation has been represented many times at this table compared with what the Armistice Agreement says about that. However, I am not at all going to insist upon it that Dr. Ullmark's report should

be regarded as an official paper of NNSC. However, Gentlemen, you cannot deny me to be interested in what he says, and I must say that it was a sad reading. I hope that nothing will happen to our boys as far as illness is concerned in the North but I am afraid that if it does, we are up against trouble.

41st Meeting: (28 Sept 1953) Lt. Colonel Jablonsky (Czech) stated that according to information given by the Korean-Chinese side air transport to the Northern ports of entry with the exception of Manpo would be possible on 1 October 1953 or a few days later.

50th Meeting: (16 Oct 1953) Korean Peoples Army notified by letter- details as regarded a plan of regular air transportation to four ports of entry and combine air and railway transportation to Manpo.

62nd Meeting: (10 Nov 1953) General Bures (Czech): I am astonished that the Swiss and Swedish Members of the NNSC do not observe the military secrets of the other side. We, for our part, are fully observing the secrets of the UNC side.

66th Meeting: (18 Nov 1953) General Grofstroem (Swede) (Report on his visit to Sinuiju) I found the billeting arrangements, the lodging of the Swedish members very unsatisfactory. The Swedish group was quartered in what I should like to state, or define, mostly as out-houses or warehouses. If the rooms occupied by the Swedish group had not been above the street level, I would have described the dwellings as cellars. There was a series of quarters all empty except for a few kitchen chairs and a bed and a table. The windows had holes in them and instead of windows in some places, there were pieces of wood or Swedish newspapers. The quarters were not proper. None of the doors shut. It was ice cold, in spite of the fact that there were heating arrangements: but they were not sufficient. When I dined together with my team - incidentally the dining quarters are shared with the Swiss and Swedish members - I had to put on a leather jacket and also a fur coat in order not to freeze. - - we know that in the North, the side has possibilities to arrange proper and decent quarters. Personnel of the NNSC have been invited to Korea to carry out a certain task, invited by both belligerent parties. We are their guests, and according to the AA both sides have the duty to provide logistical support. This logistical support means, of course, adequate logistical support, and I do submit that this is not given to the team at Sinuiju.



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73rd Meeting: (2 Dec 1953) (Concerning special report from Taegu Inspection Team - Cable No 62 and two letters from MAC "Memo from Colonel Brugger and Memo from General Daley") Colonel Borsi (Swiss) confirmed to me yesterday by the Swiss Team member at Taegu that this arrangement (reporting aircraft) working in principle to the full satisfaction of the Team. He (Swiss Team Member) expressed his regret, however, that the slightest failure or misunderstanding which may occur, and which can easily be corrected, is mercilessly taken up by their Czechslovak and Polish colleagues with a view to try and establish a case of intentional withholding of information.

85th Meeting: (8 Jan 1954) General Mohn (Swede) referred to his memo concerning an incident which had taken place the other day on the northern side of DZ, when General Ingvarson (Swede) had been stopped and held for 1½ hours and he asked the Commission to transmit it to the KPA/CPV Forces. Difficulties had been encountered in the DZ with regard to freedom of movements therein and the KPA/CPV side might have some suggestions and comments to make on the matter. Colonel Bibrowski (Pole) replied - the gist of it is, although the area of the DZ has been charred from explosives and hazards in some places especially those rarely walked on, the security cannot be 100% guaranteed. That was the reason why special instructions have been issued by the KPA/CPV. These instructions were not duly understood in that particular case by the militia personnel. KPA/CPV expressed its regrets and declared that it had taken adequate steps to avoid similar undesirable facts in the future.

General Mohn stated he would be interested in knowing what the adequate steps that Colonel Bibrowski had been referring to were, and therefore he wanted to have his memo conveyed to KPA and CPV side in order to have a written reply.

Colonel Stary (Czech) stated that in his opinion this matter could be considered as settled, but if General Mohn still desired clarification of some questions he was prepared to deliver Mohn's Memo to KPA/CPV in an unofficial way.

General Mohn accepted Colonel Stary's proposal but declared that he would consider the refusal to forward his memorandum as a precedent.

90th Meeting: (22 Jan 1954) General Mohn (Swede): "The Swiss and Swedish members have until now never succeeded in getting an agreement from their Czechoslovak and Polish Colleagues to address a letter to the other side of MAC. The Polish and Czechoslovak members have always very kindly offered to settle any incidents by direct representations made by them to the northern side."

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Colonel Stary (Czech) "The Czechoslovak and Polish delegates have many a time used this way of informally approaching the KPA/CPV side concerning certain questions. All of those cases involved matters of minor importance and this fact was always admitted by the Swedish and Swiss and that is why they agreed to those matters being settled through unofficial channels."

General Mohn: "- - because we considered that such cases were of minor importance. But Colonel Stary, I want to tell you that was not the real reason. The real reason was that we saw no other way to bring certain matters to the attention of the northern side because we have learned, at our expense, that when the Polish and the Czechoslovak members do not want something, nothing can be done about it."

95th Meeting: (28 Jan 1954) General Mohn (Swede) "I am sorry to have to say that a rather bad atmosphere has developed in this Commission, and we may all have, to a certain extent, been bad tempered and maybe all of us had better control ourselves because whatever happens all have to work together as a Commission. So I do not want to add some more fuel to this rather unpleasant discussion, but I hope that General Bures realizes that he levels a rather serious accusation against the Swiss and Swedish members of a specific team when accusing them of not carrying out their instructions." "- - because we are a supervisory Commission and not an intelligence agency."

98th Meeting: (2 Feb 1954) General Mohn (Swede) "- I want to begin with brushing aside all the accusations leveled against the Swedish representative. During my dealing with the Czech and Polish members of this Commission I have acquired the hide of a hippopotamus, and by now I know that the Swedish Member will never be able to act as efficient, as neutral and as objective as our Polish and Czech Colleagues claim to be."

100th Meeting: (4 Feb 1954) On the occasion of the 100th Meeting, the chairman (General Bures, Czech) stressed NNSC had to fulfill an important task through insuring that the AA be strictly adhered to by both sides and by contributing in this way to a final settlement of the Korean question.

General Mohn (Swede) - - As to my position with regard to procedure, I have stated it and I am not going to change it. With respect to the substance, I shall come back to the matter, but I shall not permit anybody in this Commission to push me around.

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106th Meeting: (20 Feb 1954) General Mohn (Swede): We Swedes came here with the best intentions, but something went wrong in the Commission right from the beginning. Somehow we never found a common denominator. It is, however, sad to state that we have contributed so little not only to the establishment of confidence between the two sides, but even to the instillment of confidence in our motives. This means that our good will and usefulness are slowly ebbing out.

General Bures (Czech): I think that these two bases mentioned by General Mohn in his statement do not mutually correspond. It is not sufficient to have the best intentions. It depends on how these best intentions are put in practice. The practice of this Commission shows that unanimous decisions have been reached only when the Czechoslovak and Polish Delegates have abandoned their proposals in the interest of cooperation in NNSC. Only once in this Commission General Rehner supported our stand; but the next day he wanted to withdraw his decision.

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STATEMENT BY SWEDISH NNSC  
MEMBER, GEN. MOHN, AT  
87TH MEETING, 15 JANUARY 1954

The Neutral Nations Supervisory Commission is running into its sixth month of existence and it therefore seems to me the time is appropriate for reviewing the procedures we have adopted in our activities under the Armistice Agreement. I am therefore taking the liberty to submit a few comments on the matter. I shall limit myself to our duties as defined in sub-para 13 c and 13 d of the Armistice Agreement.

On each side of the Demilitarized Zone the Neutral Nations Supervisory Commission has been assigned five ports of entry, where its Teams have to carry out supervision and inspection of movements of military personnel and combat materiel.

If we glance at a map we see a notable difference between South Korea and North Korea. Both have, of course, the Military Demarcation Line in common, but whereas South Korea is entirely surrounded by the Sea, North Korea has a land frontier in addition to its two sea coasts. Therefore in South Korea, four out of five ports of entry are harbours, namely Pusan, Inchon, Kunsan and Kangnung, one of them, Kangnung, being inactive, whereas in North Korea only two out of five ports of entry are harbours, Hungnam and Chongjin, both inactive. Thus, South Korea has only one inland port of entry, Taegu, which has been chosen because of its airfield. On the other hand North Korea has three inland ports of entry, Sinuiju, Sinanju and Manpo, two of which, Sinuiju and Manpo, are close to the border and the third one, Sinanju, some distance from it.

It is safe to assume that in South Korea, where the port of Pusan is one of the largest in the Far East, the main part of all imports goes through the ports of entry. As to North Korea I do not have any information that could allow me to make even a guess in this respect. This aspect has, in a sense, no direct bearing on our control activities, which according to the Armistice Agreement are confined to the movements of military personnel and combat materiel. But it has nevertheless its importance, namely to the extent we claim the right of inspecting also non-combat materiel in order to make our control more effective.

When we sent out our Inspection Teams in the beginning of August we gave them very little guidance. We told them in very general terms (see instruction No. 4) to carry out these duties under the Armistice Agreement "at railway stations, on highways, in ports, or on airfields, in order to ascertain whether any case of rotation of personnel or replacement of combat aircraft, armored vehicles, weapons or ammunition occur, even if no information has been conveyed by HQ". Subsequently, a few more

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instructions were issued, but as to procedures to be adopted for the carrying out of their mission the Inspection Teams were left entirely to their own devices. The result was that not only control procedures came to be different in North Korea from what they developed to be in South Korea, but they even varied from one port of entry to the other.

As far as North Korea and South Korea are concerned one of the main reasons for the difference in control procedures stems from the fact that in the North all imports are by rail or by road and in the South by air or by sea. Had there been even one plane and one ship coming into North Korea from abroad and even one train or one truck coming into South Korea from the outside, our Commission would have had a much easier task in establishing identical procedures in both areas. Instead of this, the Inspection Teams had to tackle the problem of control in an experimental way and in some places it took considerable time to achieve satisfactory results.

Operations started much earlier in South Korea than in North Korea. On the 19th of August the Team in Taegu sent in its first report on movements, followed by Pusan on the 20th and by Inchon on the 21st. In North Korea the first report on rotation of personnel came from Manpo, on the 13th of September, and the first report on combat materiel was dispatched on the 8th of October. To be sure, inspections of some sort were initiated also in ports of entry where there was nothing to be checked, but effective control procedures could only be established in ports of entry with a substantial turnover, that is in South Korea.

If we study the records of our proceedings we find that much of our time has been devoted to examine complaints and incidents relating to the movements of combat materiel in the ports of entry. A great many of the cases have been brought to the attention of the Military Armistice Commission, which, besides has been currently informed through the reports from the Inspection Teams. It is interesting to note that all cases referred to the Military Armistice Commission have concerned the ports of entry in South Korea. I cannot remember that a single case has come up about conditions in the ports of entry in North Korea. There apparently the Inspection Teams from the beginning, that is in a period when there were no movements of personnel or combat materiel, settled down to a routine that they made no efforts to improve on later. There can be no question that our Inspection Teams have been much more active in the South than in the North. One of the reasons for the good results achieved in the South is that the Swedish and Swiss members of the Inspection Teams have, readily and in the most objective spirit cooperated with their Czechoslovak and Polish colleagues in order to put the control machinery into proper shape.



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If we did encounter difficulties in the South there were, no doubt, extenuating circumstances. It may have been a mistake on our part that we as a Commission failed to work out control procedures with both sides, and especially with the UN-Command. The sides had as little experience as we had ourselves in these matters. I understand that central directives were issued for the observance of the Armistice Agreement, but procedures had to be established by the local authorities which were just as inexperienced as our own Inspection Teams. No wonder therefore that mistakes and misunderstandings occurred during the first months of our activity. We were at that time still in the experimental stage. Other circumstances have also to be taken into consideration. Ports of entry like Pusan, Inchon and Taegu are handling a tremendous amount of goods and this, in its turn, requires an elaborate administrative set up, with responsibility divided between many different authorities. It was therefore no easy task to integrate the Inspection Teams, so to speak into the existing machinery. The UN-authorities realized, however, very soon that a determined effort had to be made in order to discharge their responsibility under the Armistice Agreement. In the larger ports of entry a special organization was established, the task of which it is to provide our Inspection Teams with the information required for the fulfilment of their duties. UN officers were assigned to give them every assistance in this respect.

Before going any further into the subject it may be worthwhile to dwell on the one hand upon the obligations to which both parties to the Armistice Agreement have subscribed and on the other hand on the role of our Commission with regard to these obligations. We all know that under sub-para 13 c and 13 d of the Armistice Agreement restrictions have been imposed on the signatories with regard to the rotation of military personnel and the replacement of combat material. The functions of the Neutral Nations Supervisory Commission are defined in the same sub-paras and reworded in Subpara 42 c. The obligations of the sides as well as those of the Neutral Nations Supervisory Commission are not entirely clear and there are at least two ways of approach when it comes to carrying them out.

The first approach is the strict one which takes the provisions of the Armistice Agreement in a purely literal sense. The sides have only to report the rotation of military personnel and the replacement of combat materiel. The Neutral Nations Supervisory Commission for its part, is required to supervise and inspect such rotations of military personnel and replacement of combat materiel. Nothing else is called for.

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The second approach is a broader one which takes into consideration not only the letter but also the spirit of the Armistice Agreement. I leave aside the rotation of military personnel which involves no particular problem. But for the rest, the question is whether the limitation of our supervisory activity exclusively to the replacement of combat materiel is the best way for us to discharge our responsibilities. It certainly would make our task less troublesome. It is not easy to penetrate the intentions of the signatories to the Armistice Agreement, but I venture to suggest that they intended the Neutrals to exercise at least some control over all imports through the ports of entry so that no goods would slip into Korea under false pretenses. I readily admit that such a control would always to some extent be illusory, for the simple reason that the parties are under no obligation to import civilian goods through the ports of entry. I am, however, under the impression that for purely practical reasons most imports into South Korea came under the searching eyes of our Inspection Teams.

Be that as it may, the question for us to decide is whether we chose the strict approach or the broad approach. Whatever we decide, we will have to adopt the same approach on both sides of the Demilitarized Zone. I am, however, under the impression that we apply one system in North Korea and another in South Korea.

I hasten to say that I do not blame the sides for this disparity. By no means. Both have, as far as I know, responded to our demands, or let me rather say to the demands of the Inspection Teams. It is rather that we ourselves have been more exacting in relation to one of the sides than to the other. This situation requires some attention.

I have already dwelt upon the physical difference between the ports of entry in South Korea and North Korea. I shall now pass in review the control procedures in both areas, limiting myself to some locations where rotation of military personnel and replacement of combat materiel take place at all. In North Korea I have found three such locations: two railway stations and one bridgehead (at Sinuiju). In South Korea there are to my knowledge nine such locations: three harbours and six airfields.

If we turn first to South Korea we can begin by having a look at the two large harbours of Pusan and Inchon. What are the current control procedures in Pusan? With regard to movements of combat materiel the Inspection Team is notified 24 hours in advance in writing on a special form. In respect to rotation of military personnel the same procedure is applied, except that notification is made orally. In addition the Inspection Team receives every day a list of all vessels discharging or back-loading in the harbour with an indication of the nature of their load.



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As to inspection activities the port of entry is divided into four areas, each one of which is visited every day by a sub-team. The inspection usually starts early in the morning after the three sub-teams assigned to the harbour have held a joint conference with the port authorities. The teams are informed of the situation of the day in the harbour, whereupon they proceed to their respective areas, accompanied by a representative of the Harbour Command. The Inspection Team has access to all ship's papers. The availability of manifests and stowage plans makes it possible to control all cargoes quickly and efficiently. In addition, the Inspection Team is allowed to check in the Harbour office on the movements of all vessels plying on the port.

With respect to combat material a sub-team in the first place verifies that information supplied in the advance notification corresponds to facts. The number of items is checked by various means and the nature of items is ascertained by the opening of one or several boxes. Opening of boxes has even occurred in depots. As far as spare parts of combat material are concerned these are not reported in advance, for the reasons we know. However, any sub-team is at liberty to inspect even this kind of cargo and the harbour authorities sometimes go to a good deal of trouble to help it to ascertain not only the weight of the items concerned but also their number which does not always appear on the manifests.

It seems to me that this is a rather convincing picture of the facilities offered our Inspection Team in Pusan. This harbour is supposed to have a turnover of nearly one million tons a month. Thanks to the facilities offered by the United Nations Command this enormous amount of supplies is available for inspection by the Neutral Nations. This is a striking example of the broader approach I previously referred to.

In the harbour of Inchon the procedures applied are about the same as in Pusan, with small variations due to local conditions. Thus the Inspection Team receives all information regarding expected movements in the harbour at its daily morning meeting in the NNIT-office, which is next door to the harbour office. The inspection Team has the opportunity to go through all the ship's manifests. If time is lacking at the meeting, there is no objection to the Team members taking home the manifests, so they may study them more at ease. Advance notification is given to the Team with regard to combat material, by putting special marks in the manifests which usually are available several days before the arrival of the vessels. Inspections as a rule are carried out by the sub-team in charge of the harbour immediately after the meeting and, in addition, either in the afternoon or in the evening. If the sub-team wants to check some specific item, the liaison officer is so informed and it is

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up to him to make the necessary arrangements. Control is carried out either by inspection of the packing lists or by opening of the cases involved.

Let us now have a look at operations on an airfield, for example in Taegu. The Inspection Team has one office of its own at the airbase. It receives information as to in- and out-going flights from the loglist of the airbase. Each day a survey is provided over rotating military personnel, planes of various types and combat material. A special list over combat aircraft is also delivered. Besides, a black board in the waiting room of the NNIT-office schedules arrivals from and departures to Japan of planes with approximate flight times, type of aircraft or flight number. This information is currently corrected or completed during the day. The sub-team in charge visits the planes, notes rotation of personnel, combat aircraft and combat material. For checking purposes the pilot submits the passenger manifest and the cargo manifest as well as the transport order. Upon request the subteam is allowed to board the plane and to have cases opened for control. The information collected by the Team is thereupon checked against documents available at the airbase. Inspection operations are carried out daily, except on holidays, between 0800 and 1800 hours.

The procedures just described ensures a very efficient control of what is coming in to and going out from the airfield in Taegu. The system of control that we have obtained there has by no means been a spontaneous creation. Satisfactory results have been achieved thanks to the collaborations of our Inspection Team with the Airbase Command, which has gone a long way indeed, to meet both our requirements and our requests.

In order not to waste the Commission's time I shall abstain from surveying the methods adopted and applied at other places in South Korea, although I am in possession of specified information also in this respect.

Let us now switch our attention to North Korea. I have already stressed the purely physical difference between the North and the South. I may, however, make an additional point. I assume that even in respect to organization, conditions in North Korea differ from those prevailing in South Korea. I know something about how matters are handled in America and Europe. On the other hand, I know nothing or very little about Chinese or North Korean administration. I can only hope that it is less afflicted with bureaucracy, redtape and paper work than is the case in many other parts of the world. I note at least that hardly any documents of interest for the control activities of our Inspection Teams are submitted. There is more reliance in the North on oral than on written information.

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There seems to be one similarity between the procedures adopted in the ports of entry in North Korea and South Korea. The Korean People's Army and Chinese People's Volunteers side also report to the Military Armistice Commission and the Neutral Nations Supervisory Commission movements of military personnel and combat materiel passing through the ports of entry. But there are great dissimilarities in other respects.

In order to illustrate my point I may invite the members of the Commission to examine the inspection routine as it is applied in, for example, the town of Sinuiju, where the Inspection Team has two railway stations and one bridgehead under its supervision. How does the Team go about its work? It meets shortly every morning to discuss the day's program which usually consists of one or two inspections, carried out either by the Team as a whole or by sub-teams. At the meeting no information is made available on train movements. Once every week or every two weeks it may happen that rotation of military personnel or replacement of some negligible quantity of combat materiel, mostly spare parts, is announced. For the rest, the Inspection Team is groping in the dark. It usually gives notice of its intended movements one hour in advance. Judging from descriptions I have received the inspections start quite a commotion. The Team takes off in an imposing procession of observers, liaison officers and their assistants, security officers, interpreters and armed guards. The first stop is made at the goods station, where the Team walks at random along the platforms. The Swedish and Swiss members occasionally inquire about the contents of one or another case. In the last two months a request for the opening of a case was made only once.

From the goods station the cavalcade proceeds to the main station. By coincidence there is hardly ever a train in at the time the Inspection Team has announced for its visit. Of course, with this procedure there can never be an element of surprise in such an inspection. Somebody may ask: why should there be any element of surprise? Well, if there is efficient, systematic and permanent control as we see it operate in some ports of entry, surprise inspections will be less called for, but even there our Teams sometimes make unexpected inquiries. It is certainly not for us to throw suspicion upon any side's sincerity in the fulfilment of its obligations under the Armistice Agreement. There is, however, a little more to it than that. Obviously our own attitudes are not involved in the task we are set to perform; we have been placed between the two opposing sides in order to be their eyes and their ears in matters, in which they did not trust each other.

As I have pointed out once before, on another occasion, we have to convince the signatories of the Armistice Agreement that its provisions about rotation of personnel and replacement

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of combat materiel are observed. Therefore, neither side should take offense, if we ask for the opening of a case marked secret or carry out a surprise inspection. Our work is similar to the job performed by customs officers; they search everybody and not even the most lawabiding citizen can take exception to it. On the other hand we have to be reasonable about such matters and not make a nuisance of ourselves. And what I am concerned about at this stage is the fact that we are constantly and daily probing the good faith of the United Nations side, whereas in North Korea we carry out token or inadequate inspections only. In South Korea our Inspection Teams can freely investigate any cargo coming from or going abroad and have liberal access to most of the documents relating to such movements. In addition they move around in ports and airfields and are allowed to investigate any cases or boxes they find on piers or quays. And they also do so. And whenever a possible loophole is found in the control system we hasten to stop it up.

In North Korea, on the other hand, our Inspection Teams are paralyzed by their ignorance of what is really going on in their ports of entry. They are provided with the minimum of information prescribed by the Armistice Agreement and no more. I venture to say that if the Korean People's Army and Chinese People's Volunteers side were aware of the tight control we are carrying out in the South they would be pretty well satisfied, but I strongly doubt that the same could be said about the UN-side with regard to the North.

Well, Swedish and Swiss officers who had acquired wide experience in the South and willingly collaborated with their Polish and Czechoslovak colleagues in order to obtain from the UN authorities the adoption of expeditious procedures, were shocked when they discovered the state of affairs in for example Sinuiju. No blame was put on the Korean People's Army and Chinese People's Volunteers side because one could of course not expect this side to grant facilities that had never been asked for.

But the Swedish and Swiss members set forth to enlist the cooperation of their Czechoslovak and Polish colleagues in order to improve the situation. They submitted various proposals, such as the establishment of a permanent sub-team at the bridgehead or the obtaining from the local authorities of the information required for the carrying out of efficient inspections, such as train schedules, manifests or similar documents. Their proposals were, however, turned down. The Czechoslovak team member claimed that differences in local conditions made for different methods of control, that the Armistice Agreement did not indicate how controls by the NNIT's should be carried out, that former Swiss members in Sinuiju had never complained about procedures, that it would prove impossible to check documents in Chinese and

## ANNEX F

Korean concerning train cargoes, that train schedules were military secrets and so on.

The upshot of it all was that control procedures as applied in Sinuiju were strictly in accordance with the Armistice Agreement and that there was no reason for any changes. Thus, the Czechoslovak and Polish members refused to submit a questionnaire on the matter to the local authorities and they even failed to agree to a joint summary report on the subject for the information of the Neutral Nations Supervisory Commission. So in Sinuiju inspections are still carried out according to the old routine. The same goes for Manpo, where controls have been successively reduced, but I am not going to elaborate on the situation there. Neither shall I mention conditions in Sinanju or Chongjin, although I find them most remarkable.

I prefer to come back to the main point of my argument. I stressed at the beginning of my statement the difference between the strict and the broad approach to our control activities. Both approaches may be defended and both may also be challenged. It would be quite natural for the opposing sides to insist on a restrictive interpretation of their obligations under the Armistice Agreement, but for the Neutral Nations Supervisory Commission it would seem more appropriate to press for a more comprehensive and let me say constructive interpretation of our own obligations. Yet we can of course also adopt a less ambitious program of control. What really matters, however; is that we apply the same procedure or let me rather say equivalent procedures both in South Korea and North Korea. I am under the strong impression that our inspection machinery at the present time is lop-sided. We should gravely fail in our duties if we did not attempt to rectify this situation. There are two ways in which we can proceed: we may either raise the efficiency of our control operations in the North or we would have to renounce some of the privileges we have acquired in the South, in order to make the balance even. We have to apply the Armistice Agreement and we have to do it in a spirit of objectivity and impartiality. It would be unforgiveable to permit discriminatory practices in the work of our Teams. The Swedish member is taking a very firm stand on this matter. He is making this statement with a view to submit at a later stage constructive proposals for the equalization of standard procedures in North and South Korea.



CHARTS COMPARING  
UNIT 1-5 (North Korea) and  
6-10 (South Korea)<sup>1</sup>

ANNEX 3

Questions	SINUIJU 1	CHONGJIN 2	HUNGNAM 3	MANPO 4	SINANJU 5	INCHON 6	TAEJU 7	PUSAN 8	KANGNUNG 9	KUNSAN 10
Terms of Office of Chairman	24 hours	one week	24 hours	one week	one week	24 hours	4-5 days	24 hours	one week	24 hours
Meetings	Daily	2 per week to decide inspection.	6 per week	1 at least per week	1 per week	Daily	The 4 Senior Members check the manifest daily	Daily	Every second day	Meetings as often as required
1) Generalities										
Inspections	Inspection by whole sub-team proposed by Swiss, opposed on principle by Cz and Po.	Inspection by whole team	Inspection by whole team	Inspection by sub-team Has control log-book	No inspections	Inspection by 2 sub-teams	Inspection of K2 by subteam. Sometimes inspections last for 24 hours	Inspections by 4 sub-teams	Inspections by subteams	Inspections by 4 sub-teams Airfield and port
2) Inspection days per week	6	2	3 - 4	7	-	7	7	7	4-5	7
3) Time required by local authorities for granting facilities requested by team for inspection	Theor. one hour Pract. 12 hours	Several days for date and hour. 15 min. for place	one to two hours	Theor. 30 to 60 minutes	-	Port: 1 hour Airfield: none	None	None	30-45 minutes	30 min.
4) Total number of participants in one inspection	40	25-30	26	12-15	-	8	7	6	5	7
5) Duration of inspections per 24 hours	15 min.	1 hour	1 hour, but not daily	15-30	-	8 hours	8 hours	4 hours	1-2 hours	2-24 hours
6) Average number of announced rotation per month	2	None	None	1,5	-	30	30	20	15	30
7) Information on origin & destination of rotation	No	-	-	No	-	Yes	Yes	Yes	Yes	Yes
8) Information concerning rotation of personnel on temporary duty and material (non combat material)	No	No	No	No	No	Yes	Yes	Yes	No on Principle	Yes
9) Submission of shipmanifests or other documents concerning "non combat material"	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes

<sup>1</sup> Source: 107th NNSC Mtg., February 1954, annex to statement by the Swiss member.

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**THE ARAB LEAGUE'S FIRST VENTURE IN  
REGIONAL PEACEKEEPING**

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THE ARAB LEAGUE'S FIRST VENTURE IN  
REGIONAL PEACEKEEPING

The decision of the Arab League in mid-1961 to send a force to protect the independence of Kuwait was an unprecedented step. Details concerning the Arab League Force, especially on such technical aspects as organization, deployment, logistics, etc., are scant. In contrast to the UN and the Organization of American States, the League Council meets in private and few of its documents are ever published. Despite the paucity of information,<sup>1</sup> this venture deserves to be included in any study of international peacekeeping, since it was the first time that a regional organization had ever undertaken an operation of this kind.<sup>2</sup>

I

THE KUWAIT CRISIS

A. GENESIS OF THE CONFLICT

An exchange of letters, dated 19 June 1961, between the Sheik of Kuwait and the British political resident in the Persian Gulf marked Kuwait's accession to independence and

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<sup>1</sup> The most detailed account is in Middle East Record, Vol. II, 1961 (Tel Aviv: Israel Program for Scientific Translations, n.d.), pp. 117-140. There are also two excellent analyses of the Kuwait crisis itself: Richard Gott, "The Kuwait Incident," Survey of International Affairs, 1961 (London: Oxford University Press, 1965), pp. 519-545 and Benjamin Shwadran, "The Kuwait Incident," Middle East Affairs, Vol. XIII (Jan. 1962), No. 1, pp. 2-13 and (Feb. 1962), No. 2, pp. 43-53. For background on the Arab League, see Robert W. Macdonald, The League of Arab States: A Study in the Dynamics of Regional Organization (Princeton: Princeton University Press, 1965).

<sup>2</sup> For an analysis of the only other regional peace force, see background paper on The Inter-American Peace Force in the Dominican Crisis of 1965.

terminated the Anglo-Kuwaiti agreement of 1899.<sup>1</sup> Under that agreement, Britain had undertaken to protect Kuwait in order to forestall possible German and Russian moves in the Persian Gulf area. By the time the agreement was abrogated, however, British interests in Kuwait had assumed quite a different dimension.

By 1961, Kuwait was the largest crude oil producer in the Middle East and the third largest in the world (over 600 million barrels per year). Production and transport costs were low and Kuwait's reserves were estimated at between 15 to 25% of the then-proven world total. Kuwait's importance to Britain is demonstrated by the fact that by 1961 it was supplying about 40% of British imports of crude oil. Moreover, a large portion of the Sheik's enormous revenues were invested on the London market and the operations of the Kuwait Oil Company, in which the British government had a substantial interest, greatly benefited British sterling balances.<sup>2</sup>

Thus, while the agreement of 19 June 1961 recognized Kuwait's "sole responsibility" for the conduct of its internal and external affairs, it also committed Britain to the continued protection of the Kuwait government. The key provisions were as follows:<sup>3</sup>

When appropriate the two Governments shall consult together on matters which concern them both.

Nothing in these conclusions shall affect the readiness of Her Majesty's Government to assist the Government of Kuwait if the latter requests such assistance.

One writer has commented that "if its resources had been merely adequate," Kuwait would have had little to fear

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<sup>1</sup> For text of agreement see Muhammad Khalil, The Arab States and the Arab League (Beirut: Khayats, 1962), p. 668.

<sup>2</sup> Gott, op. cit., p. 521.

<sup>3</sup> For the full text of the exchange of letters, see Annex A.

in assuming full independence but "the astronomical size of its wealth...paradoxically, constituted the greatest threat to its independence."<sup>1</sup> The paradox, as it turned out, was that this very wealth constituted Kuwait's greatest protection, for none of the contenders for power in the Arab world could afford to see this rich prize fall into the hands of one of its rivals. This applied not only to Kuwait's covetous neighbors, Iraq and Saudi Arabia, but also to the UAR, for Nasser's view that the oil revenues of the Middle East should be used for the development of all the Arab world was well-known.

Following the proclamation of Kuwait's independence, messages of congratulations poured in from the heads of the other Arab states. The cable from Iraqi Prime Minister Kassem, however, contained no reference to Kuwait's independence but merely expressed satisfaction with the termination of the 1899 agreement which he branded as illegal. At a press conference on June 25, Kassem denounced the new agreement between Kuwait and Britain, declared that Kuwait was an "integral" part of Iraq, and announced Iraq's intention to "liberate" this section of its territory.<sup>2</sup>

Various assessments of Kassem's motives have been offered<sup>3</sup> and whether he would have resorted to force to advance his claims has been questioned. It seems logical to assume that Iraq sought to test the British reaction and above all to forestall attempts by others, i.e. Saudi Arabia and the UAR, to extend their control over Kuwait.

#### B. BRITISH INTERVENTION

The first of the Arab states to respond to Kuwait's appeal for support against the Iraqi threat was Saudi Arabia, which promptly dispatched its Chief of Staff to confer with

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<sup>1</sup> Gott, op. cit., p. 525.

<sup>2</sup> His remarks are quoted at length in Middle East Record, op. cit., p. 121.

<sup>3</sup> Ibid., pp. 121-122; Shwadran, op. cit., pp. 4-7; Gott, op. cit., pp. 527-528. See also, Majid Khadduri, Republican Iraq (London: Oxford University Press, 1969), pp. 168-169.

the Sheik and warned that any aggression against Kuwait would be considered as aggression against Saudi Arabia. Responses from the other Arab states were less forthright.<sup>1</sup>

During the last week of June, however, the entire situation changed. Amid rumors that Iraq was reinforcing its troops along the Kuwait border, the Sheik on 30 June formally requested military assistance from Saudi Arabia. As a result 100 Saudi paratroopers were sent to Kuwait. At the same time, the Sheik invoked the 19 June agreement, requesting military assistance from the British, "in view of the military movements" undertaken by Iraq which were "such as to threaten the security of Kuwait." The Sheik further expressed confidence that the British would adopt "all measures" and would "muster their whole potential to ward off the aggressors."<sup>2</sup> On 1 July, the British announced that a force had been moved into Kuwait and would be placed at the Sheik's disposal "to afford him such assistance as he may consider necessary for the preservation of the independence of Kuwait."<sup>3</sup> The announcement expressed the hope that the need "to make use of this force" would not arise and also declared Britain's intention to withdraw the force "as soon as the ruler considers the threat to the independence of Kuwait is over."

The evidence that Kuwait actually was threatened by invasion was, to say the least, inconclusive, but neither the Sheik nor the British government was inclined to take a chance. Iraqi garrisons at Basra were only thirty miles away and nothing but stretches of flat empty desert lay between them and Kuwait. British interests in Kuwait were too vital to permit hesitation and, moreover, an inadequate response would have seriously undermined the whole British position in the Persian Gulf area.

<sup>1</sup> See Shwadran, op. cit., pp. 8-9 and Middle East Record, op. cit., pp. 123-126.

<sup>2</sup> For text of the request, see Shwadran, op. cit., p. 10.

<sup>3</sup> For text, see ibid., footnote 7.



Days before the Sheik's formal request, the British had, indeed, taken a number of steps in preparation for a possible landing. These included diverting the commando carrier Bulwark from Karachi, dispatching a squadron of Hunter aircraft to Bahrein, alerting the infantry brigade in Kenya and moving administrative troops from Cyprus to the Middle East area.<sup>1</sup> Thus, on 1 July the British were able to land 600 commandos who were backed by a squadron of tanks, three squadrons of Hunters and two frigates. Within the next few days, the force was considerably augmented as additional troops, planes, and ships were dispatched from Aden, Kenya, Cyprus, and as far away as Germany and Hong Kong.

British defense policy in the Middle East had been quite recently "redesigned precisely in order to cope with a local threat of this nature,"<sup>2</sup> and this was the first time that the British Strategic Reserve - "the fire brigade" - had been tested in action.<sup>3</sup>

An evaluation of what might be termed this unilateral British venture into peacekeeping is beyond the scope of this paper. According to one account, "never before" had British troops been moved so rapidly. Within a short time, some 7,000 men and over 700 tons of stores were moved into the area, most of it by air.<sup>4</sup> Nonetheless, the exercise was subject to some serious criticism in Parliament on technical grounds, even though the necessity for the British intervention was generally accepted.<sup>5</sup>

The British action profoundly affected the attitudes of the Arab states toward the Kuwait crisis. Before considering the Arab League response, it is necessary to deal with the UN's brief involvement in the matter.

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<sup>1</sup> A full account of these preparations and of the subsequent buildup of the British force in Kuwait can be found in Middle East Record, op. cit., pp. 91 ff.

<sup>2</sup> Gott, op. cit., p. 534.

<sup>3</sup> Middle East Record, op. cit., p. 92.

<sup>4</sup> Ibid.

<sup>5</sup> Gott, op. cit., p. 534. See also the evaluation in Middle East Record, op. cit., p. 92.

### C. SECURITY COUNCIL INACTION

In no other area of the world has UN involvement been so long or so deep as in the Middle East. The first UN observation mission was UNTSO, which supervised the armistice agreements between Israel and the Arab states. The first UN peacekeeping force was UNEF, established during the 1956 crisis, and in 1958 the UN had dispatched a substantial mission to Lebanon after that country complained of UAR intervention in its affairs. The prospects for any such involvement in Kuwait, however, were virtually nonexistent. Regardless of the "threat," the UN's limited resources, already strained by UNEF and its enormous operation in the Congo, would certainly not be available to protect a Middle East sheikdom that was "sitting on the world's greatest oil pool" from which U.S. and British companies were receiving large profits.

On 1 July, the day of the British landing, Kuwait asked for an urgent meeting of the Security Council to consider the Iraqi threat to its "territorial independence" - a move which the British supported.<sup>1</sup> The next day, Iraq countered with a request that the Council consider "the armed threat by the United Kingdom, to the independence and security of Iraq."<sup>2</sup> Both letters stressed that the situation was "likely to endanger the maintenance of international peace and security."

The Council met on Sunday, 2 July, and continued to consider the situation in Kuwait throughout the following week.<sup>3</sup> As was to be expected, the Soviet Union came out in full support of the Iraqi position, while the U.S. supported the British. The UAR, which was a member of the Council at the time, was placed in a difficult position, not wanting to

<sup>1</sup> S/4844, 1 July 1961 and S/4845, 1 July 1961.

<sup>2</sup> S/4846, 2 July 1961.

<sup>3</sup> For the debate, see SCOR, 16th Year, 957th to 960th Meetings, 2-7 July 1961.

associate itself with either the Iraqi claim to Kuwait or the British intervention. The UAR proposed that the Council urge a solution of the question by peaceful means and call upon the British to withdraw its forces from Kuwait immediately.<sup>1</sup> This draft resolution failed of adoption, since it was supported only by the UAR, Ceylon and the Soviet Union, the other Council members abstaining. The Soviet Union vetoed a British draft resolution which would have (i) called upon all states to respect the independence and territorial integrity of Kuwait, (ii) urged all concerned to work for peace and tranquility in the area, (iii) kept the situation under review by the Council, and (iv) welcomed "any constructive steps which might be taken by the Arab League."<sup>2</sup>

The Council debate was not completely futile, for it had provided all of the parties concerned with the opportunity to clarify their positions. Thus, the British representative stressed that the force was purely defensive and would be withdrawn as soon as the threat to Kuwait was removed. More important was the fact that Iraq clearly committed itself to employ only peaceful means to settle the dispute.

The situation had reached the point so clearly envisaged by the proponents of regionalism at the time the UN Charter was drafted. With the Security Council unable to act because of disagreement among the major powers, responsibility for maintaining the peace passed to the regional organization and, for once, in this case the organization responded effectively.

## II

### THE ARAB LEAGUE FORCE

The British action had the effect of uniting the Arab League members on at least one point - the overriding necessity of obtaining the prompt withdrawal of British troops from Kuwait. This issue was, however, inextricably linked

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<sup>1</sup> S/4856, 7 July 1961.

<sup>2</sup> S/4855, 6 July 1961. The vote was 7 (Chile, China, France, Liberia, Turkey, U.K. and U.S.), to 1 (Soviet Union), with 3 abstentions (Ceylon, Ecuador, and the UAR).

with the question of Kassem's claims and Kuwait's demands for effective international guarantees of its security. These issues, in turn, raised the problem of Kuwait's admission to the Arab League.

Strongly supported by Saudi Arabia, Kuwait's admission was equally strongly opposed by Iraq. Although Iraq's claims to Kuwait elicited little sympathy from other Arab states, the threat of its withdrawal from the League was a matter of serious concern, since this would serve to enhance the dominant role of the UAR in the organization, a predominance which was already viewed with apprehension by other members. For its part, the UAR took the position that no country could be considered "independent" and thus eligible for League membership so long as British forces were stationed on its soil.<sup>1</sup>

Thus, while there was unanimous agreement on the urgent need for the withdrawal of British troops, it was not until 20 July that the League Council, over bitter Iraqi opposition, took the decision which led to the withdrawal of the British troops, their replacement by an Arab League Force, and Kuwait's admission to the League.

#### A. THE DECISION OF 20 JULY

A meeting of the Arab League Council had originally been set for 17 July in response to Saudi Arabia's request (made on 27 June) for early consideration of Kuwait's admission. On the day of the British landing, 1 July, Saudi Arabia asked that the date of the meeting be advanced. On this same day, the Secretary-General of the Arab League, Abdul Khalik Hassouna, embarked on a mission which would take him to Baghdad, Kuwait and Saudi Arabia in an effort to resolve the crisis.

While these talks were proceeding, however, an extraordinary meeting at the ambassadorial level was scheduled by the League Secretariat for 4 July to discuss Kuwait's

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<sup>1</sup> Gott, op. cit., p. 535. The Arab League Pact (Article 1) stipulates that "Any independent Arab State has the right to become a member of the League."

admission. After a heated debate, these discussions were postponed until 12 July to allow time for further efforts at mediation.<sup>1</sup>

During the interim, a Kuwait government mission, headed by its Minister of Finance and Oil Affairs, arrived in Cairo to explain Kuwait's position and enlist Nasser's support. Reportedly, the mission indicated that Kuwait would be willing to share its oil revenues in return for such support.<sup>2</sup> Although Nasser later stated that the UAR would not accept Kuwait's offer since "the Arab future should be based on principles not on ambitions,"<sup>3</sup> there is no doubt that this mission, which later visited Sudan, Libya, Jordan, and Lebanon, had a considerable influence on the decision to establish the Arab League Force.

Efforts by Iraq and Jordan to obtain a further postponement were unavailing, and the League Council met on 12-13 July under the chairmanship of Morocco. It had before it a proposal by Kuwait outlining two alternative courses of action:

1. Kassem must renounce his claims and recognize Kuwait's full independence - acknowledging this in the Arab League Council and the UN Security Council; or

2. The Arab League must send a force to Kuwait to replace the British troops.<sup>4</sup>

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<sup>1</sup> Middle East Record, op. cit., p. 130.

<sup>2</sup> Ibid., p. 131.

<sup>3</sup> Gott, op. cit., p. 539.

<sup>4</sup> Shwadran, op. cit., p. 47.

The situation facing the League has been described as follows:

The task of the League...was to persuade Kassem to renounce his claim and simultaneously to convince Kuwait of the unreality of the claim. The U.A.R. had to be cajoled into recognizing the independence of Kuwait. This was a formidable task for an organization which had never distinguished itself by its forthright decisions, and it had to act in the aftermath of a patent failure by the United Nations to do anything constructive about the situation.<sup>1</sup>

While the UAR may no longer have considered Kassem's threat as a military possibility, both the Sheik and the British required greater assurances than mere words. The Kuwait delegation was able to announce on its arrival at Cairo, however, that three British battalions, together with their support units, were leaving Kuwait.

At the Council meeting, Morocco introduced a proposal that embodied the principles that were to be the basis for the Council's eventual decision of 20 July.<sup>2</sup> On the 13th, however, the Council (over the objections of both the UAR and Saudi Arabia) accepted a Tunisian proposal to adjourn for a week to permit delegates to consult with their governments.

During the following week, there were extensive discussions among the Arab delegates and with League officials. With no indication that Iraq would retreat from its position, these discussions naturally centered on the formation of an Arab League force.<sup>3</sup> Moreover, a legal memorandum was drawn up at Arab League headquarters to the effect that membership in the League was the "right of every Arab State following the declaration of its independence" and that the League was not empowered to discuss the matter. This laid the basis for refuting Iraq's assertion that Kuwait's admission required a unanimous vote.<sup>4</sup>

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<sup>1</sup> Gott, op. cit., p. 539.

<sup>2</sup> For text see Shwadran, op. cit., pp. 47-48.

<sup>3</sup> Ibid., p. 48.

<sup>4</sup> Middle East Record, op. cit., p. 133.



By the time the Council convened, the delegates had evidently reached the conclusion that the League would have to risk Iraq's withdrawal, for if it "took no action" on Kuwait the continued British presence would be a "constant reminder of its own ineffectiveness."<sup>1</sup>

Soon after the Council began to discuss a Saudi Arabian draft, which slightly amended the earlier Moroccan proposal, Iraq withdrew from the meeting. The Council then proceeded to adopt the following resolution:

- I. (a) The Kuwayt Government undertakes to request the withdrawal of British forces from Kuwayti Territory as soon as possible;
- (b) The 'Iraq Government undertakes not to resort to force to annex Kuwayt to ' Iraq;
- (c) The League supports any wish expressed by Kuwayt for unity or federal union with other state members of The Arab League's Pact;
- II. (a) The League welcomes The State of Kuwayt as a member of The League of Arab States;
- (b) The Arab States support the application of The State of Kuwayt for membership in The United Nations;
- III. The Arab States undertake to offer effective assistance to safeguard the independence of Kuwayt on the basis of her request - and the Council empowers the Secretary-General to undertake the necessary measures to carry out this resolution at the earliest possible moment.<sup>2</sup>

<sup>1</sup> Shwadrán, op. cit., p. 48.

<sup>2</sup> Proceedings of the Arab League Council, 35th Session, p. 45 as quoted in Khadduri, op. cit., p. 171.



## B. ESTABLISHING THE FORCE

To any student of UN peacekeeping operations, the decision of the Arab League Council has an all too familiar ring. Having reached a rather vaguely worded consensus on support for Kuwait, the Council left it to the Secretary-General to work out the practical problems of organizing an Arab League Force, for which no precedents existed. True, the League's Joint Defense and Economic Cooperation Treaty<sup>1</sup> contained elaborate provisions for a consolidated and coordinated Arab force. Drawn up in the wake of the disastrous 1948 war with Israel, these plans had remained largely unimplemented due to mutual suspicions among the League members. The treaty did, however, provide a legal basis for joint action by the Arab states in the face of a threat of aggression.

As the League Secretariat strove to bring an Arab League force into being, problems inevitably arose as to the size and composition of the force, its command and control, status, financing, logistics, etc. In solving these problems, League officials drew heavily upon the UN experience with peacekeeping. Nevertheless, it was not until 10 September that the first unit of the Arab League force arrived in Kuwait.

The Arab states, and League officials, were apparently more interested in seeing that the Arab force was properly, rather than promptly launched,<sup>2</sup> despite the fact that both the Sheik and the British had made it clear that the British forces would not be withdrawn until the Arab contingents actually arrived. The British, in fact, had encouraged the formation of the Arab force and eagerly awaited its arrival. By mid-August 1961, there was another grave crisis over Berlin, and the British were "only too anxious to get their troops out of Kuwait in order to reinforce the British Army on the Rhine."<sup>3</sup>

Preliminary negotiations: Immediately following the League Council's decision of 20 July, the Secretary-General announced that he was making contacts with a view to establishing the force. The League Secretariat, reportedly, sent

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1 See Annex B.

2 See the Economist, 2 September 1961, p. 856.

3 Gott, op. cit., pp. 542 and 543.

letters to all League members asking them to "specify the size of the forces they were ready to send, the duration of their stay and the expenses involved."<sup>1</sup> On 6 July, a military delegation, headed by the head of the League's Permanent Military Committee, Gen. Halim al-Iman (UAR), and including Lebanese, Jordanian and Saudi representatives and the League's deputy Secretary-General, left for Kuwait. En route it stopped in Saudi Arabia and reportedly requested an increase in the small Saudi contingent already in Kuwait. Then the delegation conferred with the Sheik and senior military officers and inspected the area bordering on Iraq.

At this point, the League's Secretary-General joined the consultations and on 12 August a status of forces agreement was concluded with the Sheik.<sup>2</sup> This agreement, which was approved by the League Council a few days later, did much to iron out the difficulties with respect to the command and control of the contemplated force, its privileges and immunities, financing, etc.

At the same time, Kuwait acceded to the Treaty of Joint Defense and Economic Cooperation. This act gave a firmer legal basis for the deployment of the force and the participation of Arab League members therein. As the Secretary-General pointed out, the parties to the treaty were now bound to preserve Kuwait's independence and integrity and to take immediate measures, including the use of armed force, to repel any aggression against it.<sup>3</sup>

Fortified by these developments, the League's military mission proceeded to Morocco, Tunisia, Libya, Sudan, Lebanon, and Jordan. On 29 August, it was announced that agreements had been signed with Tunisia, Sudan, Jordan, Saudi Arabia and the UAR on participation in the Arab League Force.

<sup>1</sup> Middle East Record, op. cit., p.134. The following account on the negotiations for the force are taken from this source, except as otherwise indicated.

<sup>2</sup> See Annex C.

<sup>3</sup> Gott, op. cit., p. 543. For the relevant provisions of the treaty, see Annex B.

Factors Conditioning National Support: Most of the same considerations that influence national support for UN peace-keeping operations and the decisions of states to participate therein were apparent in the formation of the Arab League Force for Kuwait: i.e. the authorization consensus, the attitudes of the parties, the interpretation of the role of the force, various political, military, and practical factors, including financial and logistical considerations. The Arab League Force had, in a rather ambiguous way, been endorsed by all of the members of the League, Iraq excepted, by the decision of 20 July. There were nonetheless some Arab states that did not wish to antagonize Iraq further, especially after Kassem vehemently denounced the proposed force. The prospect of Arabs shooting Arabs was especially difficult to contemplate.

When the UAR rather reluctantly reached the conclusion that an Arab force was the only means of obtaining the withdrawal of British troops from Kuwait, Nasser suggested two criteria for participation in the force: those states bordering on Israel would not be expected to contribute and the North African states, for logistic reasons, would also be exempt.<sup>1</sup> Following the 20 July decision, the Kuwait representative stated that all League members (Iraq, of course, excepted) would participate, even if only with token forces.<sup>2</sup> As it turned out, only five states participated in the force and of these two bordered on Israel (Jordan and the UAR) and one was North African (Tunisia).

In UN peacekeeping operations, the Secretary-General establishes the criteria for participation in UN forces, a selection process which is subject to the consent of the host country. In seeking to form an Arab League force, League officials obviously sought the widest possible participation. The attitudes of the Sheik toward various members of the Arab League were apparently of less importance than the desire for the broadest representation.

The various reasons why certain Arab states did or did not choose to participate in the force are complex and to some extent obscure. But some assessment of the various

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<sup>1</sup> Shwadran, op. cit., p. 49.

<sup>2</sup> Tunisia, because of the crisis over Bizerta was another possible exception. Middle East Record, op. cit., p. 134.

attitudes toward the force can be ventured.

Saudi Arabia was the essential element in establishing the force. Despite its strained relations with Kuwait, it had responded promptly to the Sheik's request for assistance in the face of the Iraqi threat. Its willingness to participate in an Arab League force was, apparently, a key factor in the League's decision of 20 July. Saudi Arabia had a special interest in urging the early establishment of the Arab force. So long as Saudi troops, even though small in number, were stationed in Kuwait while the British were still there, the Saudi government had to deny repeatedly that it was collaborating with British "imperialism." The broadening of participation in the protection of Kuwait was obviously to Saudi Arabia's advantage and it used its influence to that end.

Yemen, at the other end of the spectrum, refused even to meet with the League's military mission, claiming that it was "too concerned with dealing with British attacks" in South Yemen.<sup>1</sup> Libya also declined to participate. Lebanon was apparently asked to send 100 men but declined to do so, although offering to provide medical and engineering facilities.<sup>2</sup> Lebanon's unwillingness to participate was not surprising; because of the delicate balance between Christian and Moslem elements in its population, Lebanon generally shies away from too deep an involvement in the affairs of the Arab world. Morocco had been expected to contribute to the force and at one point it was rumored that the force would be under a Moroccan commander. But in the end, Morocco decided against participating. This decision may have been due to the fact that it was many thousands of miles away from Kuwait; it may also have been influenced by some sympathy for Iraq's claims, since Morocco was at that time pressing a claim to Mauritania on somewhat similar grounds.

Tunisia decided to participate in the force, even though at the time it was deeply involved in a conflict with France over the latter's actions in Bizerta. This decision can be

<sup>1</sup> Gott, op. cit., p. 543.

<sup>2</sup> Middle East Record, op. cit., p. 135.

viewed as a gesture toward Arab solidarity but it may well have also been influenced by a desire to counter possible domination of the force by the UAR, for relations between the two countries had long been strained. Tunisia may also have expected to benefit from the Sheik's announced policy of investing revenues in Arab development projects; in fact, the Sheik had already sent a million dollars and a medical mission to aid the victims of the fighting in Tunisia.<sup>1</sup>

Sudan reportedly decided to send troops "on condition that they were not to be involved in combat."<sup>2</sup> Its decision may also have been influenced by a desire to share in the Sheik's largesse and by pressure from Saudi Arabia.

Jordan's position was difficult. It had a long frontier with Israel to defend, and although the close affinity between Jordan and Iraq had been disrupted with Kassem's ascent to power, Jordan had no desire to further alienate its larger and wealthier neighbor. The question of support costs for whatever troops might be sent was also a factor,<sup>3</sup> and the agreement between the League and Kuwait on financing the force no doubt contributed to Jordan's decision. Moreover, Jordan, too, could expect to share in the Sheik's new investment policy and it also had an interest in countering any attempt by Nasser to dominate the force.

The UAR position with respect to the Arab League force is most confusing. Reportedly, at the time of the 12 July meeting of the League Council, the UAR had decided to participate in the force but changed its attitude when frictions arose with the Saudi and Kuwait delegations. It was at this point that the UAR representative stated in the Council its complete agreement on the sending of the force to Kuwait, at

<sup>1</sup> Gott, op. cit., p. 541.

<sup>2</sup> Middle East Record, op. cit., p. 135. Sudan's experience with peacekeeping was not a happy one. It had withdrawn its small contingent from the Congo after a disastrous encounter with Congolese troops. See background paper on ONUC, p. 315, Volume IV.

<sup>3</sup> Gott records that King Hussein visited Saudi Arabia at the end of July to discuss this matter. Op. cit., p. 542.

the same time adding that some of the states bordering on Israel "might prefer to leave their troops where they are."<sup>1</sup>

After the 20 July decision, the UAR position apparently changed for, as pointed out, the League's military mission was headed up by an Egyptian general. Given Nasser's desire for recognition as the leader of the Arab world, it would have been difficult for the UAR to have abstained from taking part in this important new Arab League venture. At the same time, Nasser could hardly allow Kassem to outdo him as the principal Arab opponent to British imperialism, and Nasser may have been particularly sensitive on this score. While he may have been quite correct in calculating that Iraq would not resort to military measures against Kuwait, he had seriously miscalculated in supposing that the British would not intervene. Nasser was, therefore, open to the criticism that he had stood idly by while the British forces had steamed through the Suez Canal on their way to occupying Kuwait. Moreover, it must have been galling for Nasser to contemplate UAR troops serving under a Saudi commander. But a force dominated by the UAR would hardly have been welcomed by the Sheik, for whatever opposition there was among his well-cared-for people was pro-Nasser in character.

In the end, the UAR decided to supply administrative and technical units, which in fact served in Kuwait for only a short period.<sup>2</sup> How deeply Nasser's attitude was affected by the change in the Sheik's policy on investment of his oil royalties is open to question, but according to one account this was the determining factor in Nasser's decision to "yield the commandership of the Arab force, with the prestige and influence that position carried with it."<sup>3</sup>

Arrival of the Force: Even after agreements were signed between the League and the five participating states (on 29 August), there were further delays in getting the

<sup>1</sup> Middle East Record, op. cit., p. 132.

<sup>2</sup> See, infra., pp. 161-162.

<sup>3</sup> Shwadran, op. cit., p. 51.

force to Kuwait. On 5 September the League's Deputy Secretary-General announced that the organization and coordination of the troops had proved more difficult than originally anticipated.<sup>1</sup>

The first contingent, consisting of about half the Saudi unit, arrived in Kuwait on 10 September. Senior officers of the Jordanian contingent left Aman by air on 13 September, with supporting units following by road through Saudi Arabia. The Sudanese company left for Kuwait on the 12th and the UAR unit on the 16th. Within a week after the first arrivals, the force numbered just over 3,000 men.<sup>2</sup> Except for some elements of the Saudi and Jordanian contingents, the troops were transported in planes chartered by the Arab League.

On 14 September, the Sheik formally requested the withdrawal of the British force. The withdrawal began on the 19th and was completed by 10 October, except for a few technicians who did not leave until the 19th.

#### C. GENERAL ORGANIZATION AND SUPPORT

Information concerning the organization and support of the Arab League Force in Kuwait is fragmentary and often contradictory. It is not, therefore, possible to provide the technical details on this mission which are available for other peacekeeping missions.

Composition: The appropriate size for the Arab League Force was the source of some initial confusion. Shortly after the 20 July decision, Kuwait let it be known that only a symbolic force would be needed, perhaps no more than 250 to 500 troops.<sup>3</sup> The British, however, were apparently not inclined to withdraw their some 2,500 troops without a force of at least brigade strength.<sup>4</sup>

<sup>1</sup> Shwadran, op. cit., p. 50.

<sup>2</sup> Economist, 16 September 1961, p. 1068.

<sup>3</sup> Gott, op. cit., p. 541.

<sup>4</sup> Economist, 29 July 1961.



While the League military mission was consulting with the Sheik, Gen. Imam stated that, although the size of the force had not yet been decided, it would be strong enough to repel any attack and would be so composed that the forces of no one country would far exceed those of the others.<sup>1</sup> Agreement was finally reached on a force of a little over 3,000, of which Saudi Arabia supplied 1,200.

Published figures on the size of the units contributed by each of the five Arab states are contradictory - consequently what follows is at best an approximation.

Saudi Arabia contributed the major portion of the troops for front-line duty. Its 1,200-man force was half infantry and half cavalry and motorized troops.<sup>2</sup> After the arrival of the force, discussions between the Commander and Kuwaiti authorities resulted in a decision to increase the size of the force to 5,000. Following a visit by the Sheik to Saudi Arabia, the latter agreed to send an armored regiment of 500 additional men, which arrived in Kuwait on 27 September.<sup>3</sup>

The UAR contribution to the force took the form of technical and administrative units, including communications and logistical personnel. Nasser apparently agreed to provide 1,000 troops, although it is doubtful whether the contingent ever reached full strength. Shortly after the troops had arrived in Kuwait, Nasser suffered the "greatest blow to his career," when Syria revolted and broke away from the UAR. Nasser's prestige was damaged, the situation in Egypt was becoming precarious, and the position of the Egyptian troops in Kuwait became "untenable."<sup>4</sup>

<sup>1</sup> Middle East Record, op. cit., p. 134.

<sup>2</sup> Times (London), 6 September 1961 p. 11.

<sup>3</sup> Middle East Record, op. cit., p. 136; Shwadran, op. cit., p. 51.

<sup>4</sup> Ibid., p. 51.

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On 12 October (two days after the British had completed their withdrawal), Nasser asked the League's permission to recall his troops. He addressed a long letter to the Sheik (18 October) informing him that:

...attempts were to take place to make the UAR force or some of its members appear to you as if they were interfering in the internal affairs of Kuwait. It would have appeared to you and the people of Kuwait as though a conspiracy was being hatched by us against you while the real conspiracy was against us.<sup>1</sup>

With the Cairo radio and press accusing Saudi Arabia and Jordan of instigating the Syrian revolt and launching personal attacks on King Saud and King Hussein, relations between Egyptian troops on the one hand and the Jordanian and Saudi contingents in Kuwait on the other were bound to worsen. According to one account of the situation:

Egypt's decision was a result of friction between Egyptian and Syrian soldiers in the UAR forces, which developed into dissension between the Egyptian officers and the Arab High Command in Kuwait. The Egyptian officers were alleged to have been intimidating Syrian soldiers who refused to declare their allegiance to the UAR. Saudi Arabian and Jordanian officers in the joint command intervened to stop the Egyptian pressure. A Jordanian officer was reported to have declared that the Syrian soldiers were free to form a separate unit or join any other unit in the Arab force. The Ruler of Kuwait was reported to have intervened personally, declaring that no political activity would be tolerated in the Arab force.<sup>2</sup>

Although the Sheik apparently asked Nasser to reconsider his decision, he refused to do so. However, the last of the Egyptian force did not leave Kuwait until early December. The Syrian troops were reportedly recalled in late October.<sup>3</sup>

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1 Times (London), 19 October 1961, p. 9.

2 Middle East Record, op. cit., p. 136.

3 Ibid.

Sudan originally supplied a small unit, possibly of company strength, to the Arab force. It responded positively to the decision to enlarge the force in late September, but it seems unlikely that the Sudanese unit ever went above 400. The Tunisian unit was even smaller, probably between 100 and 200 men.

Jordan originally contributed an infantry battalion with supporting units, estimated at about 920 officers and men. An additional contingent of troops was sent to Kuwait in December to replace the Syrian units that had been withdrawn.

Command and Control: The arrangements for the Arab League Force followed more or less the same pattern as UN peacekeeping forces. The "Command" was established by the "decision" of the Secretary-General "in accordance with the powers invested in him by the League's Council resolution of 20 July 1961."<sup>1</sup> The Commander was responsible to the Secretary-General who in turn was responsible to the League Council.

Appointment of the Commander was announced on 7 September. He was Maj. Gen. Abdullah al-Isa of Saudi Arabia. This appointment was in line with an earlier statement by the Deputy Secretary-General that the command would go to the country providing the largest number of troops.<sup>2</sup> The Deputy Commander was Brig. Khaled Sahen (Jordan), and the Chief of Staff was Brig. Kamil al-Tabban (Saudi Arabia). In July 1962, General al-Isa was replaced by Maj. Gen. Abdullah al-Mutlaq.

The Force included some 30 staff officers of different nationalities as well as political, legal, and financial advisers from the League Secretariat.<sup>3</sup>

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<sup>1</sup> Para. 1 of the exchange of letters between the Sheik and the Secretary-General. See Annex C.

<sup>2</sup> Middle East Record, op. cit., p. 135. It was also in accordance with the provisions of the Military Annex to the Joint Defense Treaty, see Annex B.

<sup>3</sup> An organizational chart can be found in Annex D.

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The status and conduct of UN peacekeeping forces are generally regulated by three documents: the agreements between the UN and the participating states, the force regulations formulated by the Secretary-General, and the status of forces agreement with the host country. The Arab League did conclude agreements with the contributing states but these have not been made public; it seems doubtful that the League's Secretary-General drew up regulations for the force; but an exchange of letters between the Secretary-General and the Sheik, constituting the status of forces agreement, has been published.<sup>1</sup>

Status of the Force: The agreement between Kuwait and the Arab League stipulated that the force, as a subsidiary organ of the League, "shall enjoy the international status, privileges and immunities, granted to the League by the Arab League Pact and the League's Convention on Privileges and Immunities,"<sup>2</sup> as well as other privileges and immunities "required for the fulfillment of its functions as may be agreed upon between the Commander and the Kuwaiti authorities."<sup>3</sup>

Most of the other provisions of the agreement repeat verbatim the provisions of the agreement between the United Nations and Egypt concerning the status of UNEF. These provisions cover such matters as freedom of movement; communications and postal services; use of roads, waterways, ports, airfields, and other facilities; water, electricity, and other public utilities; entry and exit of the force; exemptions from certain local regulations, etc.

While the Arab League agreement follows the UN pattern with respect to "criminal jurisdiction," it introduces a unique feature with respect to "civil jurisdiction." The agreement provides for a Committee for Complaints composed of one member appointed by Kuwait, another by the League's

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<sup>1</sup> See Annex C.

<sup>2</sup> The text of the Convention can be found in Khalil, op. cit., Vol. II, pp. 116-122.

<sup>3</sup> See Annex C, para. 23.

Secretary-General, the third to be chosen by agreement. The rulings of this committee were to be regarded as "final" and having the "force of valid juridical judgments."<sup>1</sup>

It should be noted that the Arab League Force had one advantage of other multinational forces. In the case of a UN force, and even in a close alliance such as NATO, the often striking variations in the legal systems of the participants have to be taken into account. With respect to the Arab force, however, all concerned shared in the rich heritage of Moslem law.

Financing: Monetary considerations were an important factor in establishing the Arab League Force. The Arab League budget is small. The regular budget for 1961 has been estimated at about \$2 million<sup>2</sup> (less than the over one million pounds that the British intervention in Kuwait reportedly cost).<sup>3</sup>

With respect to financing, the agreement between Kuwait and the Arab League included the following provision:

A special fund will be set up by the League for the financing of the Force which will bear all transport and residence expenses of the Force.

While other members of the League will contribute to the fund, the largest contribution will be made by Kuwait.

While a breakdown of the actual costs of the force is not available, it is safe to assume that none of the Arab states suffered financially through their participation in the force, for the "real" costs to Kuwait for the protection afforded by the League were in the form of its decision to invest in Arab development projects.

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<sup>1</sup> Annex C, para. 12.

<sup>2</sup> Macdonald, op. cit., p. 141.

<sup>3</sup> Gott, op. cit., p. 544.

As pointed out earlier in this chapter, the Kuwait mission that arrived in Cairo in mid-July with the offer to undertake such investments had a significant effect upon the 20 July decision to establish the Arab League force.<sup>1</sup> During the negotiations on establishing the force, Kuwait sent a second mission to Jordan, Sudan, Libya, Tunisia, Morocco, Lebanon and the UAR.<sup>2</sup> At the conclusion of the talks in Cairo, a joint communique was issued concerning Kuwait's agreement to invest in UAR development projects.<sup>3</sup>

In March 1962, the Kuwait Fund for Economic Development of the Arab Countries was established, with capital resources amounting to some \$280 million. Early beneficiaries of these low-interest loans included all of the Arab states that had contributed to the League Force in Kuwait, except for Saudi Arabia. By January 1963, \$15 million had been allocated to Jordan, \$14 million each to Sudan and Tunisia, with much greater sums being invested in the UAR.<sup>4</sup>

#### D. TERMINATION OF THE FORCE

As stated above, the provisions of the agreement concerning the status of the Arab League Force were almost identical with the UNEF status of forces agreement. It is highly ironic that the major difference between the two was in the provisions for possible withdrawal. The UNEF agreement makes no mention of withdrawal,<sup>5</sup> while the exchange of letters between the Sheik and the Arab League Secretary-General contained the following paragraph.

Needless to say, the Force is of a temporary nature, is deployed in Kuwait in compliance with your Highness' request and will be withdrawn whenever its withdrawal is requested by your Highness and in the manner to be agreed upon between us.<sup>6</sup>

<sup>1</sup> See supra, p. 150.

<sup>2</sup> Middle East Record, op. cit., p. 136.

<sup>3</sup> Shwadran attributes to this agreement Nasser's decision to forego the commandship of the Arab force. Op. cit., p. 51.

<sup>4</sup> The Middle East and North Africa, 1964-65 (London: Europa Publications, 1965), p. 324.

<sup>5</sup> Hammarskjold was unable to get Nasser to agree on anything more than a statement that the latter would act in "good faith" with respect to the force. See the background paper on UNEF, pp. 21-22, Volume IV.

<sup>6</sup> Italics added. See Annex C.

Considering the debacle that arose in 1967 when the UAR demanded UNEF's immediate withdrawal, the UN Secretary-General may well have wished that his predecessor had been as successful as the Egyptian Secretary-General of the Arab League in including a similar clause in the UNEF agreement.

The December crisis: If the Sheik interpreted the above provision as meaning that the force would be withdrawn only upon his request, the events of December 1962 must have been a rude awakening. Possibly emboldened by the UAR withdrawal from the force and the difficulties Nasser was experiencing following the Syrian revolt, Kassem at the beginning of December<sup>1</sup> made a series of increasingly belligerent statements concerning Kuwait. His references to India's recent seizure of Goa apparently alarmed the British. On 26 December, the British Ministry of Defense announced that "although operations are not thought to be imminent, certain small-scale precautionary measures have again had to be taken."<sup>2</sup> The carrier Centurion, two frigates, a landing craft, and some 200 officers and men left Britain for the Middle East. The Times (London) commented on the 28th on the unlikelihood that the "Arab force on the spot could or would offer more than token resistance."

Just as Kassem's statements had prompted Kuwait to protest to the UN, the British moves brought Iraqi complaints to the Security Council.<sup>3</sup> The Council, however, did not take up the matter.

The Sheik asserted that Kuwait relied on the Arab League for help, and that he had made no request for British assistance. Nonetheless, the Deputy Secretary General of the Arab League warned that the defense of the Arab area was an Arab responsibility and that "if British troops re-entered Kuwait

<sup>1</sup> On 30 November the Soviet Union had backed Iraq by vetoing Kuwait's admission to the United Nations, although the UAR had sponsored the application. See SCOR, 16th Year, 984th-985th Meetings, 31 November 1961.

<sup>2</sup> Quoted in Middle East Record, op. cit., p. 138 from which the rest of this account has been taken.

<sup>3</sup> See S/5011, 4 December 1961; S/5014, 7 December 1961; S/5043, 28 December 1961; S/5044, 28 December 1961; and S/5047, 29 December 1961.



the Arab force would be ordered to leave." Under no circumstances "could the League force cooperate with British soldiers."<sup>1</sup>

Withdrawal of the Force: This crisis, too, passed and throughout 1962 the area remained quiet. On 6 December, the League decided that the troops could be withdrawn and a token force of some 300 men substituted.<sup>2</sup> During the last week of January 1963, however, the 800-man Jordanian contingent was withdrawn and by 4 February, withdrawal of the larger Saudi Arabian force had been completed. Although the Secretary-General stated that Tunisia had agreed to provide a token force, that the Sudanese government had been asked to reconsider its decision to withdraw, and that consultations were being held concerning possible contributions from Algeria and Libya,<sup>3</sup> nothing came of these efforts. By the end of February the last of the Arab League force had left. Whatever need there may have been for it in the first place ceased a few months later when Kassem was overthrown and the threat to Kuwait disappeared.

### III

#### CONCLUSIONS

The formation of the Arab League force was hailed by Kuwait as "the nucleus of a Pan-Arab force symbolizing the unity of the Arab ranks and the effectiveness of the Arab League," a force that would be "ready to defend any Arab country exposed to aggression."<sup>4</sup> While the force was a very significant development in the Arab League system, it did not become the pattern for the future. Nasser, for one, was prepared "to commit himself to the protection of Kuwait - if only to get the British out - but he did not want this to be an example for further developments."<sup>5</sup>

<sup>1</sup> Middle East Record, op. cit., p. 138.

<sup>2</sup> Ulrich Gehrke and Gustav Kuhn, Die Grenzen Des Irak (Stuttgart: Kohlhammer Gmb. H., 1963), p. 114.

<sup>3</sup> International Organization, Vol. XVIII (Winter, 1964), No. 1, p. 197.

<sup>4</sup> Shwadran, op. cit., p. 53.

<sup>5</sup> Gott, op. cit., p. 542.

The intervention in Kuwait has been described as Britain's "last stand in the Middle East."<sup>1</sup> With the further British withdrawals from East of Suez, it is unlikely that British intervention will ever again provide that focus for Arab unity which was the key to the formation of the first Arab League force. Moreover, it should be noted that, while the withdrawal of the British troops was the object in forming the force, it was their presence (and the absence of hostilities) that permitted the League to proceed in rather leisurely fashion in getting the force together. The long delay between the decision of 20 July and the actual arrival of the force in Kuwait would have been untenable in a more critical situation.

That the Kuwait experiment was not the pattern for the future was amply demonstrated a little over a year later when civil war erupted in Yemen, with the UAR and Saudi Arabia backing the opposite sides. Although there was some talk of an Arab League force, the burden of peacekeeping once again fell to the United Nations. When the UN failed,<sup>2</sup> the Arab League sought by various means to resolve the conflict but was equally unsuccessful.

Nonetheless, the Arab League action in Kuwait must be rated as a striking success for the regional approach to peacekeeping. Once the initial problems had been solved, the force functioned smoothly with the notable exception of the difficulties with the UAR contingent, a development that raises serious questions as to the future of Arab League peacekeeping.

It is interesting to note how closely the Arab League followed the pattern of UN peacekeeping, not only in the similarity of the status of forces agreement but also in the key role played by the Secretary-General. By contrast, neither of these elements was present when the Organization of American States undertook its first (and only) experiment with a peacekeeping force.<sup>3</sup> In some respects, the

<sup>1</sup> Shwadran, op. cit., p. 11.

<sup>2</sup> See background paper on UNYOM, Volume III.

<sup>3</sup> See background paper on the IAPF, pp. 335-336.

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provisions for the Arab League force represented an improvement over the UN system. Its financing was fully assured in advance and the provisions concerning withdrawal were more satisfactory than the provisions in UN agreements on the status of forces.

It is possible that at some future time, a combination of circumstances will again arise that will permit the Arab League to repeat its successful experiment with a peacekeeping force. In many respects, the Arab League is much better equipped for such a role than the Organization of American States. The Joint Defense Treaty, if implemented, is a far more adequate instrument than the OAS has at its disposal. Moreover, in contrast to the OAS, the League members have never shied away from the concept of joint military action, even though apprehensions over possible Egyptian predominance somewhat parallel the fears within the OAS that regional peacekeeping might merely serve as a cover for advancing U.S. interests.

Nonetheless, so long as so much of the energies of the Arab world are taken up by the conflict with Israel and so long as the struggle for power among the Arab states continues, the prospects that the Arab League can be an effective instrument for regional peacekeeping, let alone arms control, remain dim.

ANNEX A

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT BETWEEN  
THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN  
IRELAND AND KUWAIT REGARDING RELATIONS BETWEEN THE  
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND  
AND THE STATE OF KUWAIT. KUWAIT, 19 JUNE 1961\*

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I

Kuwait, the 19th of June, 1961

Your Highness,

I have the honour to refer to the discussions which have recently taken place between Your Highness and my predecessor on behalf of Her Majesty's Government in the United Kingdom about the desirability of adapting the relationship of the United Kingdom of Great Britain and Northern Ireland and the State of Kuwait to take account of the fact that Your Highness' Government has the sole responsibility for the conduct of Kuwait's internal and external affairs.

The following conclusions were reached in the course of these discussions:

- (a) The Agreement of the 23rd of January, 1899, shall be terminated as being inconsistent with the sovereignty and independence of Kuwait.
- (b) The relations between the two countries shall continue to be governed by a spirit of close friendship.
- (c) When appropriate the two Governments shall consult together on matters which concern them both.
- (d) Nothing in these conclusions shall affect the readiness of Her Majesty's Government to assist the Government of Kuwait if the latter request such assistance.

If the foregoing correctly represents the conclusions reached between Your Highness and Sir George Middleton I have

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\* UNTS, 1961, No. 5743, Vol. 399, pp. 240-43.

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the honour to suggest, on the instructions of Her Majesty's Principal Secretary of State for Foreign Affairs, that the present Note together with Your Highness' reply to that effect shall be regarded as constituting an Agreement between the United Kingdom and Kuwait in this matter which shall continue in force until either party gives the other at least three years' notice of their intention to terminate it, and that the Agreement of the 23rd of January, 1899, shall be regarded as terminated on this day's date.

I have the honour to be, with the highest consideration,  
Your Highness' obedient servant,

(Signed) W.H. Luce  
H.M. Political Resident

II

His Excellency, Her Britannic Majesty's  
Political Representative in the Persian Gulf,

Greetings,

I have the honour to refer to Your Excellency's Note of today's date. . . .

I confirm that Your Excellency's Note correctly represents the conclusions reached by myself and Sir George Middleton and I agree that Your Excellency's Note and my reply shall be regarded as constituting an Agreement between Kuwait and the United Kingdom in this matter.

With best regards,

(Signed) Abdulla as-Salem AS SABAH

The 19th of June, 1961

JOINT DEFENSE AND ECONOMIC COOPERATION TREATY  
BETWEEN THE STATES OF THE ARAB LEAGUE  
13 April 1950

Article 1

The Contracting States, in an effort to maintain and stabilize peace and security, hereby confirm their desire to settle their international disputes by peaceful means, whether such disputes concern relations among themselves or with other Powers.

Article 2

The Contracting States consider any act of armed aggression made against any one or more of them or their armed forces, to be directed against them all. Therefore, in accordance with the right of self-defense, individually and collectively they undertake to go without delay to the aid of the State or States against which such an act of aggression is made, and immediately to take, individually and collectively, all steps available, including the use of armed force, to repel the aggression and restore security and peace. In conformity with Article 6 of the Arab League Pact and Article 51 of the United Nations Charter, the Arab League Council and U. N. Security Council shall be notified of such act of aggression and the means and procedure taken to check it.

Article 3

At the invitation of any one of the signatories of this Treaty, the Contracting States shall hold consultations whenever there are reasonable grounds for the belief that the territorial integrity, independence, or security of any one of the parties is threatened. In the event of the threat of war or the existence of an international emergency, the Contracting States shall immediately proceed to unify their plans and defensive measures as the situation may demand.

Article 4

The Contracting States, desiring to implement fully the above obligations and effectively carry them out, shall cooperate

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in consolidating and coordinating their armed forces, and shall participate according to their resources and needs in preparing individual and collective means of defense to repulse the said armed aggression.

Article 5

A Permanent Military Commission composed of representatives of the General Staffs of the armies of the Contracting States shall be formed to draw up plans of joint defense and their implementation. The duties of the Permanent Military Commission, which are set forth in an Annex attached to this Treaty, include the drafting of necessary reports on the method of cooperation and participation mentioned in Article 4. The Permanent Military Commission shall submit to the Joint Defense Council, provided hereunder in Article 6, reports dealing with questions within its province.

Article 6

A Joint Defense Council under the supervision of the Arab League Council shall be formed to deal with all matters concerning the implementation of the provisions of Articles 2, 3, 4 and 5 of this Treaty. It shall be assisted in the performance of its task by the Permanent Military Commission referred to in Article 5. The Joint Defense Council shall consist of the Foreign Ministers and the Defense Ministers of the Contracting States or their representatives. Decisions taken by a two-thirds majority shall be binding on all the Contracting States.

\* \* \* \* \*

Military Annex

1. The Permanent Military Commission provided for in Article 5 of the Joint Defense and Economic Cooperation Treaty between the States of the Arab League, shall undertake the following:

(a) in cooperation with the Joint Defense Council, to prepare plans to deal with all anticipated dangers or armed aggression that may be launched against one or more of the Contracting States or their armed forces, such plans to be based on the principles determined by the Joint Defense Council;



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(b) to submit proposals for the organization of the forces of Contracting States, stipulating the minimum force for each in accordance with military exigencies and the potentialities of each State;

(c) to submit proposals for increasing the effectiveness of the forces of the Contracting States insofar as their equipment, organization, and training are concerned; so that they may keep pace with modern military methods and development; and for the unification and coordination of all such forces;

(d) to submit proposals for the exploitation of natural, agricultural, industrial, and other resources of all Contracting States in favor of the inter-Arab military effort and joint defense;

(e) to organize the exchange of training missions between the Contracting States for the preparation of plans, participation in military exercises and maneuvers and the study of their results, recommendations for the improvement of methods to ensure close cooperation in the field, and for the general improvement of the forces of all the Contracting States;

(f) to prepare the necessary data on the resources and military potentialities of each of the Contracting States and the part to be played by the forces of each in the joint military effort;

(g) to discuss the facilities and various contributions which each of the Contracting States, in conformity with the provisions of this Treaty, might be asked to provide, during a state of war, on behalf of the armies of such other Contracting States as might be operating on its territory.

\* \* \* \*

5. In the event of war, the supreme command of the joint forces shall be entrusted to the Contracting State possessing the largest military force taking actual part in field operations, unless, by unanimous agreement, the Commander-in-Chief is selected otherwise. The Commander-in-Chief shall be assisted in directing military operations by a Joint Staff.

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ANNEX C

LETTERS EXCHANGED BETWEEN HIS HIGHNESS THE PRINCE OF THE STATE OF KUWAIT AND THE SECRETARY-GENERAL OF THE LEAGUE OF ARAB STATES CONCERNING THE STATUS OF THE ARAB LEAGUE SECURITY FORCE IN KUWAIT\*

I

Letter dated 12 August 1961, addressed by the Secretary-General of the League of Arab States to His Highness the Prince of the State of Kuwait concerning the status of the Arab League Security Force in Kuwait and related arrangements

His Highness Sheikh Abdullah Al-Salem Al-Sabah, Prince of the State of Kuwait:

I have the honour to communicate this letter to your Highness regarding the status of the Arab League Security Forces in Kuwait, an organ of the League of Arab States, established in accordance with the powers invested in me by the resolution of the League's Council in its session of 20 July 1961 based on its right to establish whatever organs or committees it deems necessary.

I wish to refer here also to article 14 of the Arab League Protocol providing for diplomatic privileges and immunities for the League's organs, installations and personnel. These privileges and immunities are embodied in the Convention on Privileges and Immunities of the League of Arab States endorsed by the Council on 10 May 1953.

I wish moreover to refer to international precedents, general principles of international law, and the cherished Arab traditions.

Needless to say, the Force is of a temporary nature, is deployed in Kuwait in compliance with your Highness' request and will be withdrawn whenever its withdrawal is requested by your Highness and in the manner to be agreed upon between us.

Therefore I hereby submit the bases I deem necessary at present for the effective discharge of the functions of the Arab League Security Force in the course of its stay in Kuwait.

---

\* S/5007, 30 Nov 1961.

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If your Highness concurs with the contents of this letter, it will be considered, together with your reply embodying your concurrence, as constituting an agreement in this respect between the League of Arab States and your distinguished Government.

Definitions

1. The "Arab League Security Force," hereinafter referred to as "the Force," consists of the Command to be established by the decision of the Secretary-General in accordance with the powers invested in him by the League's Council resolution of 20 July 1961, and all military personnel placed under this Command by a State-member of the League. The term "Member of the Force" refers to any person belonging to the military formations by which any member State participates in the Force, and to any civilian placed under the Commander of the Force.

2. The "Commander" includes the Commander of the Security Force and other members of the command designated by him. "Kuwait authorities" include all official, local, civil and military Kuwaiti authorities relating to the functioning of the Force in the performance of this agreement, without prejudice to the responsibility of the Government of Kuwait itself.

3. "Participating State" means a member of the League of Arab States that contributes to the Force with no less than one detachment.

4. "Kuwaiti citizen" includes persons of Kuwaiti citizenship and persons resident in Kuwait other than those associated with the Force.

5. "Area of operations" includes all areas where the Force is deployed in the performance of its functions as defined in the resolution of the League's Council and in the decisions issued by the Secretary-General for its implementation; installations and premises referred to in this agreement, and all means of communication utilized by the Force in pursuance of this agreement.

Respect for local law and conduct befitting international status of the Force

6. Members of the Force and all officials serving with the Force shall respect the local laws of Kuwait and refrain

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from any activity of a political character in Kuwait and from any action incompatible with the international nature of their duties. The Commander shall take all appropriate measures to ensure the observance of these obligations.

Entry and exit

7. Members of the Force shall be exempt from travel, visa, and inspection regulations on entering or departing from Kuwaiti territory. They shall also be exempt from any regulations governing residence and registration, but this shall not give them any right to permanent residence or domicile in Kuwait. Members of the Force shall be provided with personal identity papers, and movement orders issued by the Commander or an appropriate authority designated by him. In the case of first entry the identity papers issued by the Participating State will be accepted in lieu of the identity papers issued by the Command.

8. The personal identity papers issued by the Participating State to which the member belongs shall be considered complementary to those issued by the Command in case of the latter lacking clarity.

9. The Commander shall immediately inform the Kuwaiti authorities of the absence of any member of the Force if it exceeds forty-eight hours. He shall also inform them in the case of any Participating State dispensing with the services of one of its nationals employed in the Force. The Commander shall be responsible for the transfer of an ex-member of the Force to his country or for his delivery to representatives of that country.

Jurisdiction

10. The following arrangements respecting criminal and civil jurisdiction are made in the interests of the proper functioning of the Force as well as the interests of the League and not for the personal benefit of the members of the Force.

Criminal jurisdiction

11. Members of the Force shall be subject to the exclusive jurisdiction of their respective national courts in respect of any criminal offence which may be committed by them in Kuwait.

Civil jurisdiction

12. (a) Members of the Force shall not be subject to the civil jurisdiction of Kuwaiti courts or to other legal process in any matter relating to their official duties.

(b) In case of a dispute between a member of the Force and a Kuwaiti citizen arising outside the scope of the former's official duties, it shall be dealt with in either of the following methods according to the choice of the claimant.

1. A Committee for Complaints composed of three members, of whom one is appointed by the Government of Kuwait, another by the Secretary General of the League and the third by common agreement between the Government and the Secretary General, and in case of their disagreement, by the League's Council. Rulings of this Committee shall be final and having the force of valid juridical judgements.

2. Kuwaiti courts by the normal procedure set out in the Kuwaiti code of procedure. In this case the Kuwaiti courts shall grant members of the Force sufficient opportunity to safeguard their rights. If the Commander certifies that a member of the Force is unable, because of absence or official duties to safeguard his rights in a proceeding in which he is a participant, the appropriate Kuwaiti court or authority shall suspend the proceeding until the elimination of the disability, but not for more than thirty days. Personal effects of a member of the Force which are deemed by the Commander to be needed by the member for the fulfilment of his duties, shall be free from seizure. The personal liberty of a member of the Force shall not be restricted by the decrees of a Kuwaiti court or authority in a civil proceeding, whether to enforce a legal judgment, decision or order, or for any other reason.

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(c) In all cases the Kuwaiti authorities may seek the good offices of the Secretary General to settle any matter.

Notification; certification:

13. If any civil proceeding is instituted against a member of the Force before any Kuwaiti court having jurisdiction, notification shall be given to the Commander. The Commander shall certify to the court whether or not the proceeding is related to the official duties of such member.

Military police: arrest, custody and mutual assistance

14. The Commander shall take all appropriate measures to ensure maintenance of discipline and good order among members of the Force. The military police designated by the Commander shall police the premises referred to in article 19 of this agreement and other areas where the Force is deployed. Elsewhere such military police shall function only subject to arrangements with the Kuwaiti authorities and in liaison with them and in so far as such functioning is necessary to maintain discipline and order among members of the Force. For the purposes indicated in this paragraph the military police shall have the power of arrest over members of the Force.

15. Military Police of the Force may take into custody any person on the premises referred to in article 19 who is subject to Kuwaiti criminal jurisdiction in order to deliver him to the nearest appropriate Kuwaiti authority when so requested by the Kuwaiti authorities, or in order to investigate any offence committed by him on these premises.

16. The Kuwaiti authorities may, likewise, take into custody any member of the Force who is charged with committing an offence outside the premises referred to in article 19 in order to deliver him to the Command of the Force.

The Kuwaiti authorities shall conduct an investigation into the matter and seize the evidence.



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17. In the cases referred to in articles 15 and 19, the person under custody should be transferred as early as possible after the preliminary interrogation to the authority empowered to complete the investigation.

18. The Commander shall collaborate with the Kuwaiti authorities in the carrying out of all necessary investigations into matters in which they have an interest.

The Government of Kuwait will ensure the prosecution of persons subject to its criminal jurisdiction who commit acts in relation to the Force or its members which, if committed in relation to the Kuwaiti forces, would have rendered them liable to prosecution.

The authorities of the Force will take the appropriate measures for the prosecution of members of the Force for such offences as are committed against Kuwaiti citizens by them.

Premises of the Force

19. The Kuwaiti Government shall provide, in agreement with the Commander, such areas for headquarters, camps, or other premises as may be necessary for the accommodation and the fulfilment of the functions of the Force. Without prejudice to the fact that all such premises are considered Kuwaiti territory, they shall be inviolable and subject to the exclusive authority of the Commander, who alone may allow the entry of such persons as he may find appropriate to perform duties on these premises.

Arab League flag

20. The Kuwaiti Government recognizes the right of the Force to display within Kuwaiti territory the Arab League flag on its headquarters, camps, posts or other premises, vehicles, vessels and otherwise as decided by the Commander. Other flags or pennants may be displayed in exceptional cases and in accordance with conditions prescribed by the Commander, due regard being given to the observations or requests of Kuwaiti authorities.

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Uniform, vehicle, vessel and aircraft markings and registration

21. Members of the Force shall normally wear the uniform prescribed by the Commander. The conditions on which the wearing of civilian dress is authorized shall be notified by the Commander to the Kuwaiti authorities, due regard being given to observations or requests of these authorities. Service vehicles, vessels, aircraft and other means of transport shall carry a distinctive Arab League identification mark which shall be notified by the Command to the Kuwaiti authorities.

All such means of transport shall enjoy immunities which exempt them from registration and licensing under the domestic rules and regulations of Kuwait.

Arms

22. Members of the Force may carry and possess arms while on duty in accordance with their orders, due regard being given by the Commander to observations and requests of the Kuwaiti authorities in this respect.

Privileges and immunities of the Force

23. The Arab League Security Force, as a subsidiary organ of the League of Arab States established by a resolution of the League's Council, shall enjoy the international status, privileges and immunities granted to the League by article 14 of its Pact and by the aforementioned Convention on Privileges and Immunities, as well as other privileges and immunities required for the fulfilment of its function as may be agreed upon between the Commander and the Kuwaiti authorities.

In order that the Force may be supplied without delay with its requirements of goods and that exemptions may be effected as speedily and conveniently as possible with due regard to the interests of the Government of Kuwait, a satisfactory procedure, including documentation shall be arranged between the authorities of the Force and the Kuwaiti customs authorities. The Commander shall take adequate precautions to prevent the abuse of exemptions or the sale or disposal of goods in any

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manner to persons other than those enjoying exemptions. Sympathetic consideration shall be given to observations or requests of Kuwaiti authorities in this connexion.

Privileges and immunities of officials and members of the Force

24. Members of the Arab League Secretariat detailed by the Secretary General to serve with the Force remain officials of the General Secretariat entitled to all the privileges and immunities of article 14 of the Pact and of the above-mentioned Convention on Privileges and Immunities.

With respect to the locally recruited personnel of the Force, the Arab League asserts its right to their immunity in official acts only.

25. The Commander and officers of the Command shall be entitled to the privileges, immunities and facilities bestowed by the Convention on Privileges and Immunities on the senior officials of the General Secretariat of the League.

Members of the Force: taxation, customs and fiscal regulations

26. Members of the Force shall be exempt from taxation on pay and income. They shall also be exempt from all direct taxes except duties paid for services enjoyed.

27. Members of the Force shall have the right to import free of duty their personal effects on their first entry to Kuwait. They shall be subject to the Kuwaiti law with respect to personal property not required for the performance of their duties or by reason of their presence in Kuwait.

Adequate facilities shall be granted by the Kuwaiti immigration, fiscal and customs authorities to the units of the Force, provided that the authorities concerned have been duly notified. Members of the Force on departure from Kuwait may, notwithstanding the foreign exchange regulations, take with them such funds as the appropriate financial authority of the Force certifies were received in pay and emoluments. Arrangements between the Commander and the Kuwaiti authorities shall be made

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for the implementation of the foregoing provisions, due regard being given to the interests of both the Force and the Kuwaiti authorities.

28. The Commander will co-operate with customs and fiscal authorities of Kuwait and will render all assistance within his power in ensuring the observance of the customs and fiscal rules of Kuwait by the members of the Force in accordance with these or any relevant supplemental arrangements.

Communications and postal services

29. The Force enjoys the facilities in respect to communications provided in the aforesaid Convention on Privileges and Immunities. The Commander shall have authority to install and operate a radio sending and receiving station or stations to connect appropriate posts and communicate with the Arab League Headquarters.

The frequencies on which the Force operates will be duly communicated by the Commander to the appropriate authorities. Messages of the Command will enjoy the priorities of government telegrams and telephone calls as provided for in international telecommunication conventions.

30. The Force shall enjoy within its area of operations the unrestricted right of communications by wire, wireless or other means, as well as the right to establish within its area of operation the necessary facilities for such communication including the laying of cables and land lines and the establishment of movable or fixed radio sending and receiving stations, it being understood that lines herein referred to will be situated within or directly between the premises of the Force and the area of operations, and that any connexion with the Kuwaiti system of telecommunications will be made only in accordance with arrangements with the appropriate Kuwaiti authorities.

31. The Government of Kuwait recognizes the right of the Force to make its own arrangements to facilitate the transport of private mail emanating from or addressed to members of the

## ANNEX C

Force. The Government of Kuwait will be informed of the nature of such arrangements. No interference shall take place with, and no censorship shall be applied to the mail of the Force by the Government of Kuwait except in exceptional cases and by mutual agreement between the Kuwaiti authorities and the Commander. Conditions for despatches involving transfer of currency or transport of parcels from Kuwait, will be agreed upon between the Government of Kuwait and the Commander.

Freedom of movement

32. The Force and its members shall enjoy, together with its special means of transport such as vehicles, vessels, aircraft and equipment, freedom of movement between Force headquarters, camps and other premises within the area of operations, and to and from the agreed upon areas of Kuwaiti territory or areas to be agreed upon between the Commander and the Government of Kuwait. The Commander will consult with the Kuwaiti authorities with respect to large movements of personnel or equipment on roads used for general traffic. The Government of Kuwait recognizes the right of the Force and its members to freedom of movement within military lines in the performance of the functions of the Force and the essential duties of its members. The Government of Kuwait will supply the Force with maps and other information including locations of mine fields and other defensive precautions which may be necessary in facilitating its movements.

Use of roads, waterways, port, airfield and other facilities

33. The Force shall have the right to the use of roads, bridges, canals and other water, port and airfield facilities without the payment of dues, or any other charges whether in the form of registrations or otherwise in the areas of operations and the normal points of access, except for the charges that are paid for services directly rendered. The Kuwaiti authorities will give the most favourable consideration and priority to requests for the grant to members of the Force of travelling facilities on its various means of transport.

Water, electricity and other public utilities

34. The Force shall have the right to the use of water, electricity and other public utilities, and shall be granted, in the case of interruption or threatened interruption of service, the priority given to Government agencies.

The Force shall have where necessary, the right to generate, within its premises its needs of electricity and to distribute such electricity in the manner it deems suitable.

Kuwaiti currency

35. The Government of Kuwait will, if requested by the Commander, facilitate exchanges into Kuwaiti currency.

Financing

36. A special fund will be set up by the League for the financing of the Force which will bear all transport and residence expenses of the Force.

While other members of the League will contribute to the fund, the largest contribution will be made by Kuwait.

Settlement of disputes

37. Disputes arising with respect to the interpretation or implementation of this agreement shall be settled by the League's Council.

38. The Commander and the Kuwaiti authorities shall take appropriate measures to ensure liaison and co-operation between them.

Supplemental arrangements

39. Supplemental detailed arrangements that may be required for the carrying out of this agreement shall be made between the Commander and the appropriate Kuwaiti authorities.



Effective date and duration

40. If your Highness will concur with the contents of the present letter, it will be considered, together with your Highness' reply, as constituting an agreement concluded between the League and the State of Kuwait. This agreement shall be deemed to have taken effect as from the date of the arrival of the first element of the Force in Kuwaiti territory and shall remain in force until the departure of the Force from Kuwait.

Kindly accept, your Highness, the assurances of my highest respect

(Signed) ABDEL KHALEK HASSOUNA  
Secretary-General

Written in the City of Kuwait,  
this day, Saturday the 12th of August, 1961.

## II

Letter dated 12 August 1961 from His Highness the  
Prince of the State of Kuwait addressed to the  
Secretary-General of the League of Arab States

Government of Kuwait,  
Secretariat,

His Excellency Abdel Khalek Hassouna,  
Secretary General,  
League of Arab States

With reference to your letter dated 12 August 1961 embodying the bases you deemed necessary at the present time for the effective discharge of the functions of the Arab League Security Force while it remains in Kuwait, we have the honour to assure your Excellency that the Government of Kuwait will, in the exercise of its sovereign powers in any matter related to the presence of the Arab League Security Force on its territory, be carefully guided by the spirit of Arab traditions and the good



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faith which illuminates our glorious Arab history, and will abide by the letter and the spirit of the League's Pact and the resolution of the League's Council dated 20 July 1961 referred to in your letter.

We do hereby agree in full to all the terms of your letter, and the Government of Kuwait shall therefore be bound to carry them out.

We also agree that your letter and this reply shall, as your Excellency has stated, constitute an agreement between the League of Arab States and the Government of Kuwait.

We gladly seize this opportunity to inform your Excellency that in compliance with the responsibility laid on us by the aforementioned resolution of the League's Council, we have today requested the British Government to withdraw their forces from the territory of Kuwait.

Kindly accept the assurances of our highest respect.

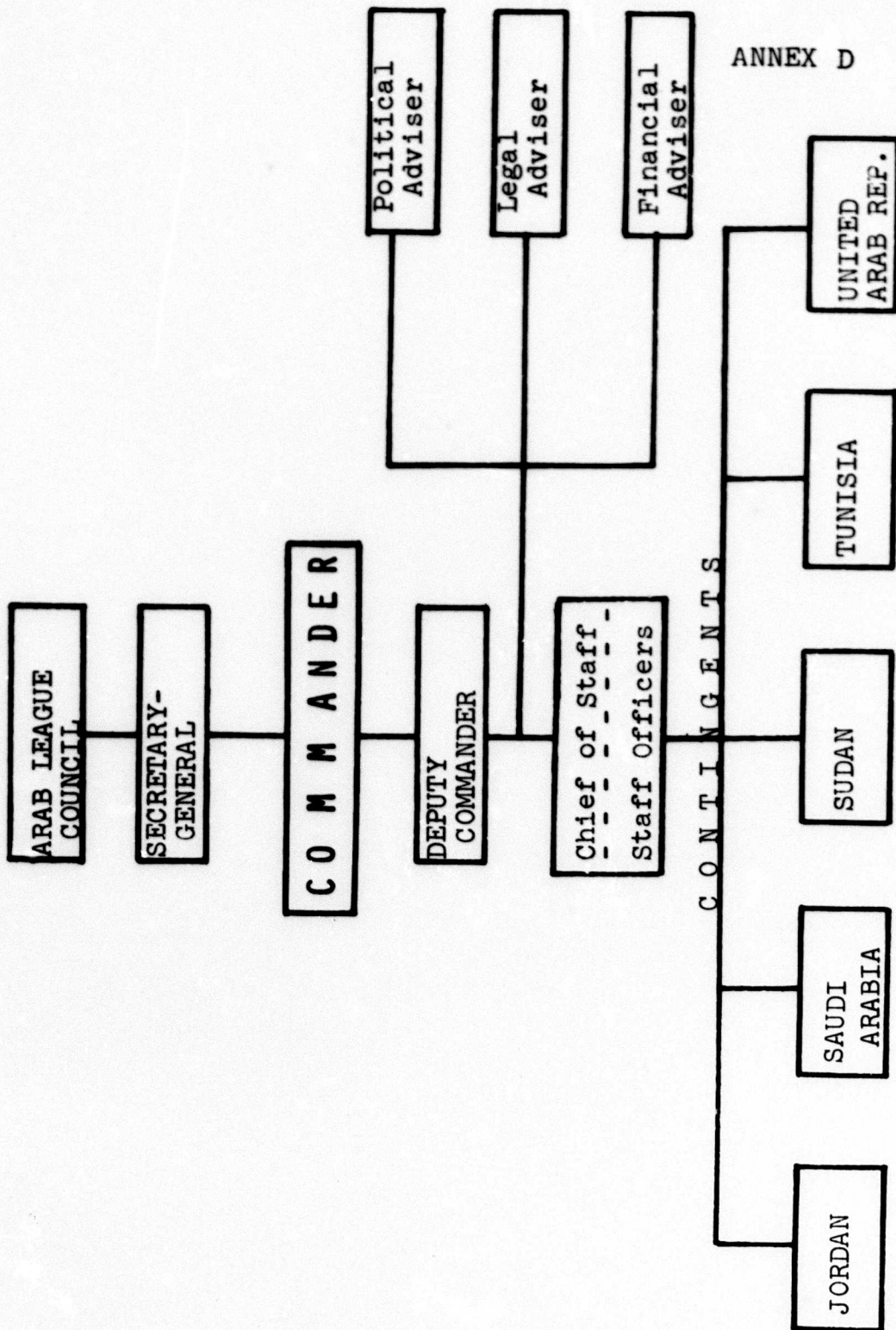
(Signed) Abdullah Al-Salem Al Sabah  
Prince of the State  
of Kuwait

Written in the Palace of AlSeif,  
this day, Saturday the 12th of August, 1961

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ORGANIZATION OF THE  
ARAB LEAGUE SECURITY FORCE  
IN KUWAIT

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THE ROLE OF THE OAS  
IN THE  
CUBAN MISSILE CRISIS



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THE ROLE OF THE OAS  
IN THE  
CUBAN MISSILE CRISIS

I

INTRODUCTION

In the preparation of the United States government response to the challenge laid down by the Soviet Union in introducing offensive missiles in Cuba, one of the chief concerns was the need to secure the support of the Organization of American States. The significance of such support, as pointed out later, became particularly important when President Kennedy decided that the initial United States response would be a quarantine against all offensive military equipment under shipment to Cuba.

Accordingly, this brief background paper sketches the evolution of the role the OAS played in the period prior and during the Cuban missile crisis. Needless to say, this examination is not intended to be an exhaustive treatment of that crisis. A consideration of this role, for the purpose of this examination, however, need not take us further back than the meeting of the Foreign Ministers of the American Republics at San José, Costa Rica, in August of 1960.<sup>1</sup>

A. THE SAN JOSÉ MEETING

It is sufficient to mention that the problem of Fidel Castro and his activities in Latin America was a central preoccupation of the United States government. Having openly aligned himself with the domestic and foreign policies of the Soviet Union and indicated his solidarity with the Sino-Soviet bloc, his agents sought to carry "the revolution" to other Latin-American countries. He expressed his philosophy in the oft-quoted words "I believe absolutely in Marxism.... I am a Marxist-Leninist and will be a Marxist-Leninist until the last day of my life."

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<sup>1</sup> Those desiring an understanding of the Castro revolution and its impact on Cuban-United States relations will find the bibliography in Annex A of interest.



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In the view of the United States government the Castro regime was a threat to hemispheric security. But to a number of the Latin-American countries, particularly the more influential ones, such as Argentina, Brazil, Chile and Mexico, the Castro problem was regarded as something in the nature of a private quarrel between Washington and Havana rather than an inter-American responsibility. This attitude was reflected in the caution with which the Meeting of Foreign Ministers adopted on 29 August 1960 an instrument known as the Declaration of San José condemning the intervention or the threat of intervention by an extracontinental power in the affairs of the American republics, and declaring that acceptance of a threat of extracontinental intervention by any American state endangered American solidarity and security.<sup>1</sup>

The Declaration also reaffirmed the principle of nonintervention by any American state in the internal or external affairs of the other American states, and reiterated that each state had the right to develop its cultural, political, and economic life freely and naturally.

The results at San José fell short of United States expectations and desires. There was no reference to Cuba in the Declaration and there was no consensus on the need of some form of collective action which the United States thought necessary. The Latin-American states, it appeared, had not yet begun to awaken fully to the threat of Castroism. In addition, many were reluctant to act in the light of the strength of left-wing support for Castro in their countries. For the United States to have pressed for an anti-Castro stand specifically mentioning Cuba and collective action would have split the OAS. The Declaration was a compromise and went as far as the voting traffic could carry.

In reply to the Declaration of San José, Castro on 2 September 1960 issued his "Declaration of Havana" in which he denounced the United States and the OAS, and proceeded to recognize Communist China. In addition, he continued in his course of nationalizing and expropriating United States property.

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<sup>1</sup> The text of the Declaration is contained in the Final Act of the Seventh Meeting of Consultation of Ministers of Foreign Affairs, San José, Costa Rica, 22-29 August 1960. OAS Official Records, OEA/Ser.C/II.7.

## B. THE RISING CUBAN-UNITED STATES TENSION

Not until 3 January 1961 did the United States sever diplomatic and consular relations with Cuba, following a demand by Castro that the United States Embassy in Havana reduce the personnel complement to eleven within 48 hours. Cuba in turn responded by severing its relations with the United States on the same day.

With trade already seriously disrupted, deterioration in Cuban-United States relations reached critical proportions when President Kennedy reduced the Cuban sugar quota for the United States to zero in March 1961. (President Eisenhower had previously cut 700,000 tons from Cuba's 1960 quota.) The growing United States economic pressure led Castro to increasing dependence on the Soviet Union and the Sino-Soviet bloc.

In April 1961 came the attempted invasion of Cuba by Cuban exiles at the "Bay of Pigs." The enterprise was a total failure when over 1100 of some 1400-1500 invaders, made up of Cuban refugees, were captured and taken prisoners by Castro's forces. In this ill-fated operation the United States government, through the CIA which had equipped and trained the invading force, suffered a serious loss of prestige. The outcome emboldened Castro to press on with his revolution against "imperialism," frightened his Caribbean neighbors, and prompted the United States to intensify its efforts for inter-American collective action against Cuba.

## C. COLOMBIA'S CALL FOR A MEETING OF FOREIGN MINISTERS

Arthur M. Schlesinger, Jr. reports that "Castro's growing fierceness during 1961...began to disturb his Caribbean neighbors."<sup>1</sup> Venezuela and Colombia broke off diplomatic relations, and President Lleras Camargo of Colombia, increasingly concerned, called for a new meeting of foreign ministers to consider the Cuban problem. By a vote of 14 to 2, with five nations abstaining, the OAS Council resolved in December to hold such a session in January 1962.

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<sup>1</sup> Arthur M. Schlesinger, Jr., A Thousand Days: John F. Kennedy in the White House (Boston: Houghton Mifflin Company, 1965), p. 780.

The Colombian proposal for a meeting under Article 6 of the Rio Treaty<sup>1</sup> was carried by a bare two-thirds majority and again there was no specific reference to Cuba. Those who voted against the proposal were Cuba and Mexico, while Argentina, Bolivia, Brazil, Chile, and Ecuador abstained. The vote revealed the division among the Latin American states and foreshadowed an uncertain outcome of the meeting to be held in Punta del Este, Uruguay.

D. THE MEETING AT PUNTA DEL ESTE, URUGUAY,  
22-31 JANUARY 1962

At Punta del Este the Ministers of Foreign Affairs met "to consider the threats to the peace and to the political independence of the American states that might arise from the intervention of extracontinental powers directed toward breaking American solidarity." As Secretary of State Rusk expressed it before leaving for the conference, the purpose of the meeting will be to seek "agreement on measures appropriate to the present situation; that is, one in which Cuba, a member government of the OAS, has made itself an accomplice to the communist conspiracy dedicated to the overthrow of the representative governments of the hemisphere."<sup>2</sup>

In his opening statement<sup>3</sup> to the Meeting, Secretary Rusk suggested that its task would be to move in four major paths: (1) recognition that the alignment of the Cuban government

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<sup>1</sup> Article 6 of the Rio Treaty reads: "If the inviolability or the integrity of the territory or the sovereignty or political independence of any American State should be affected by an aggression which is not an armed attack or by an extracontinental or intracontinental conflict, or by any other fact or situation that might endanger the peace of America, the Organ of Consultation shall meet immediately in order to agree on the measures which must be taken in case of aggression to assist the victim of the aggression or, in any case, the measures which should be taken for the common defense and for the maintenance of the peace and security of the Continent."

<sup>2</sup> Department of State Bulletin, Vol. XLVI (19 February 1962), p. 270.

<sup>3</sup> Ibid., pp. 270-277.

with the countries of the Sino-Soviet bloc, and its commitment to extend communist power in the Western Hemisphere, were incompatible with the purposes and principles of the inter-American system and that its current activities were a common danger to the peace and security of the continent; (2) excluding the Castro régime from participation in the organs and bodies of the inter-American system; (3) interrupting the flow of trade between Cuba and the rest of the hemisphere, especially the traffic in arms; and (4) setting in motion a series of individual and communal acts of defense against the various forms of political and indirect aggression mounted against the Hemisphere.

The four major points which the Secretary of State suggested in his opening statement to the Meeting "were effectively accomplished at Punta del Este." Indeed, upon his return, he stated that "under the circumstances and the spirit of unanimity which was achieved on all of the underlying points, the meeting was a great success for the OAS as a whole."<sup>1</sup>

Resolution I,<sup>2</sup> Communist Offensive in America, with its theme that "the principles of communism are incompatible with the principles of the Inter-American system," was adopted by a vote of 20 to 1 (Cuba).

Resolution II, Special Consultative Committee on Security Against the Subversive Action of International Communism, directed the Council of the OAS to set up a committee of experts on security matters to advise member states that may desire such assistance. This resolution was adopted by a vote of 19 to 1 (Cuba), with 1 abstention (Bolivia).

<sup>1</sup> Secretary Rusk's News Conference of 1 February 1962, Department of State, Press Release 69, dated 2 February 1962.

<sup>2</sup> The texts of the resolutions are contained in the Final Act, Eighth Meeting of Consultation of Ministers of Foreign Affairs serving as Organ of Consultation in application of the Inter-American Treaty of Reciprocal Assistance, OAS Official Records, OEA/Ser.C/II.8.



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Resolution VI, the Exclusion of the Present Government of Cuba from Participation in the Inter-American System, was adopted by a vote of 14 to 1 (Cuba), with 6 abstentions (Argentina, Bolivia, Brazil, Chile, Ecuador, and Mexico).

In addition, Resolution VI provided that the Council of the OAS and the other organs and organizations of the inter-American system adopt without delay the measures necessary to carry out the resolution. The exclusion of the present government of Cuba from participation in the inter-American system, however, did not affect the membership of the state of Cuba.

Resolution VIII, Economic Relations, adopted by a vote of 16 to 1 (Cuba), with 4 abstentions (Brazil, Chile, Ecuador, and Mexico), dealt with the immediate suspension of trade with Cuba in arms and implements of war of every kind, of further economic restrictions, and charged the Council of the OAS with studying the matter of extending the suspension of trade to other items, particularly items of strategic importance.

**E. INFORMAL MEETING OF THE FOREIGN MINISTERS OF THE AMERICAN REPUBLICS, IN WASHINGTON, 2-3 OCTOBER 1962**

Taking advantage of the presence of the Foreign Ministers of Latin America who were attending the United Nations General Assembly, Secretary Rusk invited them to an informal meeting in Washington on 2-3 October to exchange views on various problems affecting the security and well-being of the inter-American system.

The most urgent of these problems discussed at the meeting was the "Sino-Soviet intervention in Cuba as an attempt to convert the island into an armed base for communist penetration of the Americas and subversion of the democratic institutions of the Hemisphere."<sup>1</sup> The meeting expressed the desirability of intensifying surveillance of the delivery of arms and all other items of strategic importance to Cuba "to prevent the secret accumulation in the island of arms that can be used for offensive purposes against the Hemisphere." It further concurred in the urgent

<sup>1</sup> See Text of Final Communiqué in Department of State Bulletin, Vol. XLVII (22 October 1962), pp. 598-600.

need for studies on "the transfer of funds to the other American Republics for subversive purposes, the flow of subversive propaganda, and the utilization of Cuba as a base for training in subversive techniques."

This informal meeting was not competent to take decisions under the Charter of the OAS or the Rio Treaty and that was not its purpose. But it provided an opportunity for the United States government to convey to the participants its deep concern at the increasing number of Soviet "technicians" and military buildup being provided by the Soviet Union, the growing menace of Castroism, and to acquaint them with the various actions that were being taken by the United States in the Caribbean area with the full cooperation of the governments in that region.

The Final Communique described the meeting as "marked by extraordinary solidarity" on matters affecting the security and well-being of the hemispheric system.

From the tenor of the Final Communique it sounded as though the Latin American governments were awakening to the fact that the Castro problem was not just a quarrel between Washington and Havana but one which was looming as a grave threat to the security and well-being of the inter-American system. In the view of officials in the United States government, Punta del Este and the informal meeting in Washington of the Foreign Ministers showed considerable progress over what transpired at San José.

## II

### PRELUDE TO THE CRISIS

#### A. CONGRESSIONAL AGITATION FOR ACTION AGAINST CUBA

The United States government was aware for some time prior to October 1962 that the Soviet Union was supplying Cuba with conventional arms, and that in the months of July and August of that year arms shipments had mounted considerably.

Press reports emanating from Washington began to appear on the mounting shipment of Soviet arms to Cuba. But not until the joint Soviet-Cuban communique issued in Moscow on

2 September, was there official acknowledgment that the Soviet government "had agreed to help Cuba meet the threats from 'aggressive imperialist quarters' by delivering 'armaments and sending technical specialists for training Cuban servicemen.'"<sup>1</sup> The communique did not mention the United States. Its omission, in the view of Western observers, the New York Times wrote, suggested Moscow's sensitivity to the risks entailed in its new policy.

Following the publication of the Soviet-Cuban joint communique, President Kennedy, on 4 September, referred to the moves of the Soviet Union to bolster the military power of the Castro régime. Recent information had established that the Soviets had provided the Cuban government "with a number of antiaircraft defense missiles...similar to early models of our Nike," he stated, along with expensive radar and other electronic equipment required for their operation. He disclosed that there were now in Cuba or en route approximately 3,500 Soviet military "technicians" to instruct Cubans in the use of this equipment. He averred that he had no evidence of any organized combat force in Cuba from any Soviet bloc country, of "the presence of offensive ground-to-ground missiles, or of other significant offensive capability either in Cuban hands or under Soviet direction and guidance," and warned that "were it otherwise, the gravest issues would arise." He reaffirmed the policy of the United States that the Castro régime will not be allowed to export "its aggressive purposes by force or the threat of force."

This Presidential statement,<sup>2</sup> read by the White House Press Secretary to news correspondents, was presumably prompted by the publication of the Soviet-Cuban joint communique. It was in the nature of a reply to the communique, a reaffirmation of United States policy towards the Castro régime, and a reassurance to the Congress and the people of this hemisphere that the United States government was alert to Soviet activity in Cuba.

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<sup>1</sup> For the unofficial text of the joint communique see the New York Times, 3 September 1962.

<sup>2</sup> Department of State Bulletin, Vol. XLVII (24 September 1962), p. 450.



With a Congressional election in November, Senator Mike Mansfield, Democratic Senator from Montana, on 5 September expressed the hope that the Republicans would keep the Cuban issue out of the political campaign. Two days later Senator Everett McKinley Dirksen and Representative Charles A. Halleck, both Republican minority leaders in the Congress, urged a stronger policy toward Cuba<sup>1</sup> and on the same day President Kennedy asked the Congress for standby authority to call up the reserves.

In his press statement 13 September 1962,<sup>2</sup> President Kennedy referred to the "loose talk" in this country about United States military intervention in Cuba. Such action was not currently required or justified, he said, and could "serve to give a thin color of legitimacy to the Communist pretense that such a threat exists." However, he went on to say that "if at any time the Communist buildup in Cuba were to endanger or interfere with our security in any way...or if Cuba should ever attempt to export its aggressive purposes by force or the threat of force against any nation in this hemisphere, or become an offensive military base of significant capacity for the Soviet Union (emphasis added), then this country will do whatever must be done to protect its own security and that of its allies." The President stated that "rash talk is cheap, particularly on the part of those who did not have the responsibility...", and concluded his press conference with the hope that "the American people...will in this nuclear age, as they have in the past, keep their nerve and their head."

Notwithstanding the President's rebuke to those engaged in "cheap talk" and to others who "did not have the responsibility," various Senators and others were critical of the "do nothing policy" of the President and urged a stronger line against Cuba. Some of the lawmakers (Senators Hugh Scott of Pennsylvania and Kenneth Keating of New York, both Republicans) wanted an economic and military blockade, while others (like Senator Jacob Javits, Republican from New York) called upon the President to demand that the Soviet Union stop sending arms to Cuba, and if the Soviet Union refused,

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<sup>1</sup> The New York Times, 8 September 1962.

<sup>2</sup> Department of State Bulletin, Vol. XLVII (1 October 1962), pp. 481-482.

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to take whatever action was required. Richard M. Nixon, Vice-President in the Eisenhower Administration, proposed a "quarantine" of Cuba to stop the flow of Soviet arms. The position of the Kennedy Administration to all this criticism and exhortation was simply that the Soviet arms shipments to Cuba were essentially defensive in nature.

Secretary of State Rusk, appearing before a joint session of the Senate Foreign Relations and Armed Services Committees, restated the position of the Administration that Soviet arms shipments to Cuba were defensive in nature. But some of the Senators took issue with him on this. Following the Secretary's appearance, the two committees approved a proposed joint resolution which the Senate passed on 20 September 1962 by a vote of 86 to 1 and the House on 26 September by a vote of 384 to 7.<sup>1</sup> The Administration was not only sympathetic to the joint resolution but helped to formulate it.

The joint resolution expressed the determination of the United States:

to prevent by whatever means necessary, including the use of arms, the Marxist-Leninist regime in Cuba from extending, by force or the threat of force, its aggressive or subversive activities to any part of this hemisphere; to prevent in Cuba the creation or use of any externally supported military capability endangering the security of the United States; and to work with the Organization of American States and freedom-loving Cubans to support the aspirations of the Cuban people for self-determination.

B. SOVIET COVER AND DECEPTION

Subsequent to the Soviet-Cuban joint communique, there were several Soviet statements and conversations between high officials of the American government and those of the Soviet Union. Hilsman records that in early September the Soviet Ambassador to the United States, Anatoly Dobrynin "on separate occasions" told both Attorney-General Robert Kennedy, and Theodore Sorensen, the President's Special Counsel, that

<sup>1</sup> Department of State Bulletin, Vol. XLVII (22 October 1962), p. 597.

the equipment the Soviet government was sending to Cuba was "defensive in nature and did not represent any threat to the security of the United States."<sup>1</sup> On 11 September 1962 Tass, on the express authorization of the Soviet government, stated "that there is no need for the Soviet Union to shift its weapons for the repulsion of aggression, for a retaliatory blow, to any other country, for instance Cuba. Our nuclear weapons are so powerful in their explosive force and the Soviet Union has so powerful rockets to carry these nuclear warheads, that there is no need to search for sites for them beyond the boundaries of the Soviet Union."<sup>2</sup>

The President was not taken in by these statements. Nor was he going to be pushed into a needless war by the hawks in Congress and by some of the press against a small nation when the hard intelligence was not at hand. America's allies were also concerned about the hysteria in the United States over Cuba. The President rose above the din and clamor for action against Cuba, for he had to bear in mind the totality of our obligations and was particularly "concerned about the possibility that Khrushchev hoped to provoke him into another entanglement in Cuba...and wreck our Latin-American relations while the Soviets moved in on West Berlin."<sup>3</sup> In the meantime he stepped up the frequency of U-2 reconnaissance flights over Cuba.

#### 1. The "Hard Intelligence".

Under the rules, Presidential authorization was required for every U-2 reconnaissance flight. Sorensen records that missions were flown on 5, 11, 26 and 29 September, and 5 and 7 October. Bad weather held up flights "between September 5 and 26 and made the September 11 photography unusable."<sup>4</sup>

<sup>1</sup> Roger Hilsman, To Move A Nation: The Politics of Foreign Policy in the Administration of John F. Kennedy (Garden City, New York: Doubleday & Company, Inc., 1967), p. 165.

<sup>2</sup> The New York Times, 12 September 1962. For an account of other high-level conversations between American and Soviet officials in Moscow and in Washington in which the Soviet officials asserted that the arms sent to Cuba were wholly "defensive," see Hilsman, op. cit., pp. 166-167.

<sup>3</sup> Theodore C. Sorensen, Kennedy (New York: Harper & Row, Publishers, 1965), p. 671.

<sup>4</sup> Ibid., p. 672.

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The U-2 mission authorized by the President on 9 October did not take place until 14 October because of unfavorable weather predictions over Cuba. But on that day "the Cuban crisis began in the whirring cameras of a single Air Force U-2 reconnaissance plane high above San Cristóbal [Cuba] ...."<sup>1</sup> Within some 24 hours of the time the film was taken, it was processed and analyzed in Washington by the photo interpreters of the intelligence community. The analysis showed a missile base being constructed in a field near San Cristóbal. When this stark and "hard intelligence" filtered through the top echelons of the government in the late evening of Monday, the 15th of October, McGeorge Bundy, the President's Special Assistant for National Security Affairs, decided not to disturb the President with this startling intelligence that night, but brief him the following morning, which he did. "It was better, Bundy thought, to let the President have a night's sleep in preparation for the ordeal ahead."<sup>2</sup>

The group of high officials who were present at the briefing and listened to the analysis of the photographs made by officials of the Central Intelligence Agency in the White House the morning of the 16th of October was stunned and dismayed. The "dominant feeling was one of shocked incredulity. We had been deceived by Khrushchev, but we had also fooled ourselves."<sup>3</sup> The discovery before the Soviet missiles became operational was the saving grace, for it gave the government some precious time to analyze the implications of the grave situation, and to consider various alternative courses of action.

2. Planning the Course of Action.

The group that met with the President on Tuesday morning, 16 October, to hear the intelligence briefing, known initially as the "Executive Committee," was given the responsibility of recommending a course of action to the President. The attendance at meetings of the group varied

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<sup>1</sup> The New York Times, 3 November 1962.

<sup>2</sup> Schlesinger, op. cit., p. 801.

<sup>3</sup> Robert F. Kennedy, Thirteen Days: A Memoir of the Cuban Missile Crisis (New York: W. W. Norton & Co., Inc., 1969), p. 27.

from time to time, but its members included the President,<sup>1</sup> the Vice-President, Secretaries Rusk, McNamara, and Dillon, Attorney-General Robert F. Kennedy, General Maxwell Taylor, Chairman of the Joint Chiefs of Staff, John McCone, Director of the C.I.A., Adlai Stevenson, the U.S. representative to the United Nations, McGeorge Bundy, and Llewellyn Thompson. Others, like Dean Acheson and Robert Lovett, were brought in from time to time.

During the period of hammering out a response and before he was to reveal to the nation and the world what the United States' course of action would be to the discovery of the missiles in Cuba, the President enjoined the strictest secrecy on all that were engaged on the matter. "Any premature disclosure, he stressed, could precipitate a Soviet move or panic the American public before we were ready to act."<sup>2</sup>

The discussions ranged over a number of alternatives from "do nothing" to an all-out military attack. Every proposal was fraught with difficulties and dangers. There was no one simple, safe solution. A blockade against offensive weapons, which later became known as a quarantine, as a "first step" was what the majority of his advisers recommended and the President accepted. This decision, made by him on Saturday, 20 October, did not exclude the possibility of other actions, such as direct military action, for which the President had, in the meantime, "taken measures to prepare our military forces and place them in a position to move."<sup>3</sup>

<sup>1</sup> "To keep the discussions from being inhibited and because he did not want to arouse attention, he ~~The President~~ decided not to attend all the meetings of our committee. This was wise. Personalities change when the President is present, and frequently even strong men make recommendations on the basis of what they believe the President wishes to hear." Kennedy, op. cit., p. 33.

<sup>2</sup> Sorensen, op. cit., p. 676.

<sup>3</sup> Kennedy, op. cit., p. 54. Secretary McNamara listed the following requirements in the event the President ordered an invasion: "250,000 men, 2,000 air sorties against the various targets in Cuba, and 90,000 Marines and Airborne in the invasion force." Following Presidential approval, troops rapidly moved into the southeastern part of the United States, equipped and prepared. For further descriptions of the military planning and deployment that went on, see ibid., p. 52; and Schlesinger, op. cit., p. 803.

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Thus, with this low level of response, the President left open the "options" of increasing the use of force step by step should that prove necessary. What guided all the President's deliberations, wrote Robert Kennedy, "was an effort not to disgrace Khrushchev, not to humiliate the Soviet Union, not to have them feel they would have to escalate their response because their national security or national interests so committed them."<sup>1</sup>

With the quarantine against offensive weapons as the initial chosen instrument, the support of the OAS of a resolution under the Inter-American Treaty of Reciprocal Assistance of 1947 (the Rio Treaty) was a factor of great importance in establishing a firm legal foundation and the unity of the Western Hemisphere. In fact, Hilsman described it as "crucial," and Stevenson as "vital." Would there be a two-thirds vote for the quarantine? Edward Martin, the Assistant Secretary of State in charge of the Bureau of Inter-American Affairs was doubtful.<sup>2</sup>

With the President enjoining the strictest secrecy until the facts and the response could be announced, advanced consultations with any of our allies were out of the question. If OAS support for United States action was not forthcoming, under the circumstances where a threat to United States vital security was involved, the President would proceed notwithstanding.<sup>3</sup>

<sup>1</sup> Kennedy, op. cit., p. 124.

<sup>2</sup> Sorensen writes: "Without obtaining a two-thirds vote in the OAS - which appeared dubious at best - allies and neutrals as well as adversaries might well regard it as an illegal blockade, in violation of the UN Charter and international law. If so, they might feel free to defy it. One member of the group Executive Committee with a shipping background warned of the complications of maritime insurance and claims in an illegal blockade." Op. cit., p. 687.

<sup>3</sup> It will be recalled that the Secretary of State, in his testimony on 17 September 1962 before the U.S. Senate Committees on Foreign Relations and Armed Services, made clear that "we ought, if possible, to deal with this "this" referring to a direct or indirect threat to the security of the United States on a hemispheric basis, but we did not renounce at the very bottom, at the very essence of our own national commitments, we did not



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The President set Monday, 22 October, at 7 P.M., for his address to the nation and the world by radio and television. There was much to be readied: this included the drafting of letters for the President to 43 heads of allied governments; preparation of the President's address; drafting a letter from the President to Khrushchev to be delivered with a copy of his address; preparation of resolutions for submission to the United Nations Security Council and the OAS; drawing up the President's proclamation on interdiction of the delivery of offensive weapons to Cuba; the briefing of ambassadors of our allies and those of the non-aligned; briefing the Congressional leaders; messages to all American posts abroad; and briefing the press.

The foregoing was but a partial list of activities that engaged various government officials. In the hands of U. Alexis Johnson, Deputy Secretary of State for Political Affairs, was placed the coordinating responsibility for "who was to do what and when." The scheduled preparation was duly orchestrated and effectively executed before the hour set for the President's address.

### III

#### THE NUCLEAR CONFRONTATION CRISIS

The President's address<sup>1</sup> brought home to the American people and to the rest of the world the stark and grim implications of the "unmistakable evidence...that a series of offensive missile sites is now in preparation" on the island of Cuba. "This urgent transformation of Cuba into an important strategic base - by the presence of these large, long-range, and clearly offensive weapons of sudden mass destruction - constitutes an explicit threat to the peace and security of all the Americas, in flagrant and deliberate

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renounce a national unilateral interest in those problems if they could not be handled on a hemispheric basis." See United States, Congress, Senate, Committee on Foreign Relations and the Committee on Armed Services, Hearing, Situation in Cuba, 87th Cong., 2nd Sess., 1962, p. 55.

<sup>1</sup> Department of State Bulletin, Vol. XLVII (12 November 1962), pp. 715-720.



defiance of the Rio Pact of 1947, the traditions of this nation and hemisphere, the Joint Resolution of the 87th Congress, the Charter of the United Nations, and my own public warnings to the Soviets on September 4 and 13."

He denounced the deliberate Soviet deception and its vast and threatening offensive buildup, which had been accomplished subtly and in secrecy, in an area well known to have a special and historical relationship to the United States and the nations of the Western Hemisphere.<sup>1</sup>

In the light of this grave and mortal threat to the security of the United States and of the entire Western Hemisphere, the President announced that he had directed the following initial steps be taken immediately:

1. A strict quarantine against all offensive military equipment under shipment to Cuba. All ships of any kind bound for Cuba, if found to contain cargoes of offensive weapons, would be turned back.
2. Continued and increased close surveillance of Cuba.
3. Notification of any nuclear missile launched from Cuba against any nation in the Western Hemisphere would be regarded as an attack by the Soviet Union on the United States, requiring a full retaliatory response upon the Soviet Union.
4. The reinforcement of the United States base at Guantánamo, the evacuation of the dependents there, and a standby alert of additional military units.
5. A call for an immediate meeting of the Organ of Consultation under the OAS in support of all necessary action.

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<sup>1</sup> The President's denunciation of the deliberate Soviet deception referred to the Soviet government's public statement of 11 September 1962 that "armaments and military equipment sent to Cuba are designed exclusively for defensive purposes..." to a number of assurances given by Soviet Ambassador Dobrynin to U.S. government officials, and to Foreign Minister Gromyko's statement to him on 18 October 1962 in the White House to the same effect. He branded these assurances "as false."

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6. A call for an emergency meeting of the United Nations Security Council to deal with the Soviet threat to world peace and a proposal to the Council of a resolution calling for the prompt dismantling and withdrawal of all offensive weapons in Cuba, under the supervision of UN observers, before the quarantine can be lifted.

7. A call upon Chairman Khrushchev to halt and eliminate this clandestine, reckless, and provocative threat to world peace.

A. ACTION BY THE OAS

Since this brief background paper focuses on the supporting role of the OAS, it will confine its consideration to the nature of the support rendered under point 5 of the President's address.

The United States, in its note of 22 October to the OAS, stated that it had received conclusive evidence that the Cuban government had permitted its territory to be used for the establishment of offensive weapons with nuclear capability provided by extracontinental powers. This, it asserted, constituted a situation which endangered the peace of America and affected the sovereignty and political independence of the American states. The United States requested that the Organ of Consultation be convoked immediately, pursuant to Article 6 of the Rio Treaty to consider the action to be taken for the common defense and for the maintenance of the peace and security of the continent.<sup>1</sup> "In view of the extreme urgency of the situation," the note requested: An extraordinary meeting of the Council of the Organization of American States at the earliest possible moment to act on this request and to constitute itself provisionally as Organ of Consultation in accordance with Article 12 of the Rio Treaty to adopt immediately appropriate

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<sup>1</sup> On the same day, the United States requested an urgent meeting of the United Nations Security Council. It asked the Council "to deal with the dangerous threat to the peace and security of the world which had been caused by the secret establishment in Cuba by the Union of Soviet Socialist Republics of launching bases and the installation of long-range ballistic missiles capable of carrying thermonuclear warheads to most of North and South America."

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measures for the common defense. The grave crisis which had arisen over the discovery of the Soviet offensive weapons with nuclear capability and the need for immediate action was reflected in the language of the American note.

The Council of the OAS convened on 23 October and considered the United States' note at two meetings. In the first of these meetings it heard Secretary of State Rusk's lengthy statement in support of the request.

Following statements by several other representatives,<sup>1</sup> the Council unanimously approved a resolution convoking the Organ of Consultation "in accordance with the provisions of the Inter-American Treaty of Reciprocal Assistance, to meet at a time and place to be decided later" and to "constitute itself and to act provisionally as Organ of Consultation in accordance with Article 12..." of the Rio Treaty.<sup>2</sup>

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Its draft resolution called for the immediate dismantling and withdrawal from Cuba of all missiles and offensive weapons, the dispatch to Cuba of a United Nations observer corps to assure and report on compliance with this resolution, an end of the quarantine upon UN certification of compliance, and U.S.-USSR negotiations on measures to remove the threat to the security of the Western Hemisphere and the peace of the world.

Cuba and the Soviet Union also asked for an urgent meeting of the Security Council. Cuba based its request on "the act of war unilaterally committed by the Government of the United States in ordering the naval blockade of Cuba," and that of the Soviet Union on "Violation of the Charter of the United Nations and threat to the peace on the part of the United States of America." Yearbook of the United Nations, 1962 (New York: Columbia University Press, 1963), p. 104.

The question was debated in the Security Council on 23-25 October but the draft resolutions submitted by the United States and the USSR never came to a vote, since the agreement reached through the Kennedy-Khrushchev exchange of letters ultimately led to a resolution of the crisis.

<sup>1</sup> See the minutes of the special meetings held on 23 October, 1962, OEA/Ser.G/II/C-a-462.

<sup>2</sup> For the full text of the resolution see Inter-American Treaty of Reciprocal Assistance Applications, Vol. II, 1960-1964 (Washington, D.C.: Pan American Union, General

Following the adoption of the foregoing resolution in the morning of 23 October, the Council of the Organization met in the afternoon of the same day and unanimously adopted the United States draft resolution with minor changes on the measures necessary to prevent Cuba from threatening the peace and security of the continent. Thus, in the course of a single day, the OAS acted with dispatch on the gravest issue in its history.

The heart of the resolution was as follows:

1. To call for the immediate dismantling and withdrawal from Cuba of all missiles and other weapons with any offensive capability.

2. To recommend that member states, in accordance with Articles 6 and 8 of the Inter-American Treaty of Reciprocal Assistance, take all measures, individually and collectively including the use of armed force, which they may deem necessary to ensure that the Government of Cuba cannot continue to receive from the Sino-Soviet powers military material and related supplies which may threaten the peace and security of the Continent and to prevent the missiles in Cuba with offensive capability from ever becoming an active threat to the peace and security of the Continent.<sup>1</sup>

On a separate vote on the last clause of paragraph 2 of the resolution - "and to prevent the missiles in Cuba with offensive capability from ever becoming an active threat to the peace and security of the Continent" - Bolivia, Brazil, and Mexico abstained, but voted for the resolution as a whole. The word "ever" was interpreted by them as giving the United States power to make decisions for them in the future. The Uruguayan delegate abstained on the vote for lack of instructions, which he got the following day and his affirmative vote made the resolution unanimous. The Bolivian delegate, Emilio Sarmiento Carruncho, not being able to get through to La Paz by telephone for instructions, voted "yes" at the risk of his diplomatic career.

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Secretariat, Organization of American States, 1964), p. 110. (Hereinafter referred to as the Rio Treaty Applications.)

<sup>1</sup> For the full text of the resolution, see Annex B.

Paragraph 2 of this historic resolution provided the legal basis for imposing the quarantine. President Kennedy, in his official proclamation of 23 October "Interdiction of the Delivery of Offensive Weapons to Cuba," included the language of the operative paragraph 2 of the OAS resolution. Mention, however, should be made that the President had ordered a strict quarantine on 22 October against all offensive military equipment under shipment to Cuba, before the OAS had adopted its resolution on 23 October.<sup>1</sup>

#### B. RESOLVING THE CRISIS

During the time the member states of the OAS were readying their support for the naval quarantine, there took place an exchange of letters between President Kennedy and Khrushchev, Kennedy and U Thant, the Acting Secretary General of the United Nations, and Khrushchev and U Thant.<sup>2</sup>

Without going into detail on this three-cornered exchange it is sufficient to mention, for the purpose of this brief paper, that on 26 October Khrushchev addressed two letters to President Kennedy.

The first letter, which was not published, was, however, later shown to the Senate Foreign Relations Committee and copies were distributed to several Allied governments.

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<sup>1</sup> A somewhat similar situation is provided by the action President Truman took in committing American forces to repel the North Korean aggression against South Korea before the United Nations Security Council formally recommended military assistance to South Korea. Cf. Lawrence D. Weiler and Anne Patricia Simons, The United States and The United Nations. The Search for International Peace and Security (New York: Manhattan Publishing Company, 1967), pp. 227-234.

<sup>2</sup> The texts of the letters made public are contained in Kennedy's Thirteen Days, op. cit., pp. 180-214.

"Even in paraphrase it reads like the nightmare outcry of a frightened man."<sup>1</sup> A footnote in Kennedy's Thirteen Days states that the first letter "apparently took the 'soft' line that Russia would remove its missiles from Cuba in return for ending of the U.S. quarantine and assurances that the U.S. would not invade Cuba."<sup>2</sup>

The second letter carried Khrushchev's proposal in the following language:

We agree to remove those weapons from Cuba which you regard as offensive weapons. We agree to do this and to state this commitment in the United Nations. Your representatives will make a statement to the effect that the United States, on its part,...will evacuate its analogous weapons from Turkey. Let us reach an understanding on what time you and we need to put this into effect.

After this, representatives of the U.N. Security Council could control on-the-spot the fulfillment of these commitments....<sup>3</sup>

The idea of removing the United States missiles from Turkey in exchange for removing the Soviet missiles from Cuba was unacceptable to the President. This position was made clear in the White House statement of 27 October. Without formally rejecting the Soviet proposal it stated that there could be "no sensible negotiations" until work on the Cuban bases stopped, offensive weapons rendered inoperable, and further shipment of offensive weapons to Cuba ceased.

The President, on the suggestion of Robert F. Kennedy, did not reply to the second letter of Khrushchev, but on

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<sup>1</sup> Elie Abel, The Missile Crisis (Philadelphia: J. B. Lippincott Company, 1966), p. 178. Abel, in his own language describes what that letter contained and quoted passages therefrom.

<sup>2</sup> Kennedy, op. cit., p. 196, which cites the Congressional Quarterly.

<sup>3</sup> Ibid., p. 199.

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27 October answered the first. In it, the President wrote:

...The first thing that needs to be done...is for work to cease on offensive missile bases in Cuba and for all weapons systems in Cuba capable of offensive use to be rendered inoperable, under effective United Nations arrangements.

...As I read your letter, the key elements of your proposals--which seem generally acceptable as I understand them--are as follows:

1) You would agree to remove these weapons systems from Cuba under appropriate United Nations observation and supervision; and undertake, with suitable safeguards, to halt the further introduction of such weapons systems into Cuba.

2) We, on our part, would agree--upon the establishment of adequate arrangements through the United Nations to ensure the carrying out and continuation of these commitments--(a) to remove promptly the quarantine measures now in effect, and (b) to give assurances against an invasion of Cuba. I am confident that other nations of the Western Hemisphere would be prepared to do likewise.

In the morning of 28 October the Moscow radio announced the response to the President's letter of the night before. The letter from Khrushchev said that he had ordered the discontinuance of work on weapons construction sites, the dismantling of the offensive weapons, "and to crate and return them to the Soviet Union." The letter further stated: "As I had informed you in the letter of 27 October, we are prepared to reach agreement to enable U.N. representatives to verify the dismantling of these means. Thus in view of the assurance you have given and our instructions on dismantling, there is every condition for eliminating the present conflict."

Before the official text of the broadcast message was received in Washington, the President on 28 October replied that he welcomed Khrushchev's message and considered it an important contribution to peace. He praised the efforts of Acting Secretary General U Thant who greatly facilitated "both our tasks," and then went on to say that he considered his letter of 27 October, and Khrushchev's reply thereto "as firm undertakings on the part of both governments which should be promptly carried out." The President expressed the



hope that the necessary measures could at once be taken, meaning thereby arrangements for verification by the United Nations of the removal of the weapons system from Cuba, and halting the further introduction of such weapons systems in Cuba, so that the United States in turn could remove the quarantine measures.

The Secretary-General of the United Nations flew to Cuba on 30 October 1962 to confer with Castro on verification arrangements by the United Nations to implement the Kennedy-Khrushchev understanding on the dismantling of Soviet missiles and a halt in the building of bases. His mission was a failure. Castro, who was not a party to the Kennedy-Khrushchev understanding, adamantly refused to permit inspection on Cuban soil.<sup>1</sup>

While the threat of a nuclear war was averted, there were a number of serious problems still to be resolved, including the one which resulted from Castro's unexpected refusal to allow verification on Cuban territory. Negotiations to resolve these problems engaged the attention of the American and Soviet governments during the month of November.

#### C. THE COMBINED UNITED STATES AND LATIN AMERICAN QUARANTINE FORCE

Before, during and after the exchange of letters between Khrushchev and Kennedy, some of the Latin American governments supported the quarantine in various ways, as is indicated in Section D.

While the OAS resolution of 23 October 1962 did not specifically provide for machinery to implement the interdiction of the delivery of offensive weapons to Cuba, the language in paragraph 2 of the resolution, recommending that member states "take all measures, individually and collectively including the use of armed force" was, however, sufficiently broad to permit the creation of combined machinery.

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<sup>1</sup> For an extended account of Castro's attitude on the inspection issue, see U.S. Participation in the UN. Report by the President to the Congress for the year 1962, pp. 121-124.

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In his Proclamation of 23 October 1962,<sup>1</sup> imposing the quarantine which went into effect officially on 24 October 1962 at 11.00 P.M. Greenwich time after the adoption of the OAS resolution, the President enumerated the prohibited materiel to be interdicted and ordered the Secretary of Defense "to take appropriate measures to prevent the delivery of prohibited materiel to Cuba, employing the land, sea, and air forces of the United States in cooperation with any forces that may be made available by other American States" (emphasis added).

Aware of the sensitivity and opposition of a number of Latin American states regarding the creation of a regional force as such, the phrase in cooperation, it would seem, was about as far as the United States government thought it prudent to go.

The Argentine government, in view of the assistance in various forms offered by some of the Latin American governments, sought to ensure coordinated and effective action of the participants. Accordingly it submitted on 1 November 1962 a draft resolution<sup>2</sup> to the Council still acting provisionally as the Organ of Consultation, which it described as "a practical and fully effective solution" for coordinating the actions of member states.

This Argentine draft resolution was debated in the OAS on 5 November and was approved with modifications. The second operating paragraph recommended that "the member states participating with military forces or with other facilities in the defense of the Hemisphere work out directly among themselves the technical measures that may be necessary to the coordinated and effective action of the combined forces, and that they keep the Organ of Consultation informed of this action...."<sup>3</sup>

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<sup>1</sup> For the text of the Proclamation see Annex C.

<sup>2</sup> For the full text of the draft resolution, see Rio Treaty Applications, op. cit., p. 152.

<sup>3</sup> For the full text of the resolution, see Annex D.

While the resolution fulfilled the purpose of the Argentine government, the statement of the Chairman after the adoption of the resolution, which was also approved by the Council, was significant, for it testified to the objection of the Latin American states, or at least some of them, to anything that savored of a regional military force. His language<sup>1</sup> as recorded was:

The Chairman states that a faithful record of the resolution adopted must make it clear that the Council, established provisionally as Organ of Consultation, is of the opinion that the measures for coordination referred to in paragraph two in no way constitute authorization for the formation of regional military groups within the inter-American system. (Emphasis added.)

In a note dated 9 November 1962,<sup>2</sup> following the adoption of the resolution of 5 November, the United States, Argentina and the Dominican Republic informed the OAS that by agreement of these governments, a combined naval force had been established known as the Combined Quarantine Force under the operational command of Rear Admiral John A. Tyree, Jr. (USN), whose flagship was the USS Mullinix. Under this agreement, officers of these navies acted as members of the staff of the Combined Quarantine Force, with the naval units integrated to carry out the quarantine operations. Two Venezuelan destroyers also operated in areas near the eastern coastline of Venezuela but, it appears, they did not formally become a part of the Combined Quarantine Force.

The creation of the Combined Quarantine Force was an event of historic importance. In the history of the OAS, this marked the first occasion when United States and Latin American naval units combined to act in defense of the Western Hemisphere. Just how this Force was deployed was not made public. But the participation therein by Latin American countries, considering the size of their respective navies, was more than a token contribution, and this significance was noted by the free world press. The Combined Quarantine Force established by the OAS (placed under United States Navy

<sup>1</sup> Rio Treaty Applications, op. cit., p. 153.

<sup>2</sup> For the text of the note see Annex E.

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Task Force 137) operated separately from the main United States quarantine fleet, and took an active part in patrolling the seas. On 30 November 1962, the governments of the Combined Quarantine Force informed the OAS that inasmuch as the progress of events made possible the termination of the naval quarantine operations in the vicinity of Cuba, they had cancelled the agreement establishing the Combined Quarantine Force.<sup>1</sup>

D. RESPONSES BY MEMBER STATES TO THE  
OAS RESOLUTION OF 23 OCTOBER 1962

The following is a roster of the Latin American governments which responded to the OAS resolution on interdiction:<sup>2</sup>

<u>Date of Response</u>	<u>Country</u>	<u>Nature of Response</u>
23 Oct. 1962	<u>Panama</u>	Offered to place its resources unconditionally at the service of the inter-American system to combat Soviet intervention in the Western Hemisphere.
24 Oct. 1962	<u>Argentina</u>	Navy will cooperate to the extent necessary for the defense of the hemisphere.
24 Oct. 1962	<u>Costa Rica</u>	Formal offer to U.S. government to place port facilities for use of the naval and air fleet in connection with the quarantine.
25 Oct. 1962	<u>Dominican Republic</u>	Offered naval units, airports, naval bases and other installations to U.S. government to facilitate collective action.

<sup>1</sup> Cf. Rio Treaty Applications, op. cit., p. 155. See, also, Annex F.

<sup>2</sup> Rio Treaty Applications, op. cit., pp. 115 ff.

<u>Date of Response</u>	<u>Country</u>	<u>Nature of Response</u>
25 Oct. 1962	<u>Guatemala</u>	Informed U.S. Ambassador on 16 October of the alarming military preparations of an offensive nature that the Soviet Union was carrying out on Cuban territory, and offered to place at the disposal of U.S. air and naval bases, including installation of guided missile platforms.
25 Oct. 1962	<u>Haiti</u>	Offered U.S. government all of the Haitian port facilities for use of its naval units engaged in establishing a sanitary cordon around Cuba.
25 Oct. 1962	<u>Honduras</u>	Decree of 18 October 1962, prohibiting all merchant vessels flying Honduras flag from putting in at Cuban ports and from carrying cargo or exercising any other commercial activity between ports of Cuba and those of other countries.
26 Oct. 1962	"	Formal offer to United States government of use of port facilities, air bases and any other installations necessary to carry out collective action under Rio Treaty. This offer was also extended to other members of the OAS.
27 Oct. 1962	<u>Colombia</u>	Offered "all the collaboration that is necessary and within its capabilities to ensure compliance with the resolution" of the OAS adopted 23 October 1962.

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<u>Date of Response</u>	<u>Country</u>	<u>Nature of Response</u>
27 Oct. 1962	<u>Argentina</u>	Informed the OAS that the Argentine destroyers "Rosales," and "Espora" left today (27 Oct. 1962) to participate in the security measures.
29 Oct. 1962	<u>El Salvador</u>	Declared it will unreservedly contribute its moral and material support to the execution of security measures against acts of extracontinental aggression, and supports the formal measures taken by the United States government to halt the threat of Soviet aggression in the Western Hemisphere.
31 Oct. 1962	<u>Nicaragua</u>	Took the following measures: (a) air patrol of the Nicaraguan coasts and the adjacent seas; (b) closed ports to any vessel transporting offensive arms destined for Cuba; (c) sea and airports available to the warcraft of the combined forces of the OAS countries; and (d) maintaining contact with the armed forces of the other American republics.
Nov. 1962	<u>Argentina</u>	Formed group of 3 aircraft to participate with the combined forces in search, rescue, and observation operations, and is also training an air force group of 3 crews with a view to joining the combined forces in the Caribbean. In addition, the Argentine Army has been ordered to instruct a brigade to participate in the maintenance of continental peace should this become necessary.

<u>Date of Response</u>	<u>Country</u>	<u>Nature of Response</u>
9 Nov. 1962	<u>Venezuela</u>	Reported that the destroyers "Nueva Esparta" and "Zulia" will cooperate with the forces of other member governments on patrolling missions in areas near the eastern coastline of Venezuela. In addition, the President by decree of 27 Oct. 1962, empowered the Ministry of Defense to take measures to facilitate the mobilization of the National Armed Forces, and to determine its zone of operations.

Among those notably missing from this roster were Brazil, Chile, Mexico and Peru. Notwithstanding their approval of the OAS resolution of 23 October 1962, which in itself was a significant political demonstration of inter-American solidarity at a time of grave crisis, they did not follow this up with some form of concrete support, not even of a token character.

#### IV

#### CONCLUSIONS

##### A. POLITICAL

The unanimous OAS support for the quarantine against shipments of offensive weapons to Cuba was a political decision of singular importance and essential to the successful implementation of the response.

Structuring the President's address of 22 October 1962 in the context of a United States-Soviet Union issue rather than one between the United States and Cuba contributed to winning the support of the members of the OAS and NATO, as well as approval of some of the leaders in the uncommitted world.

The missile crisis inspired a sense of unprecedented unity and political support on the part of the Latin American countries, particularly the closing of ranks by such staunch supporters of nonintervention as Brazil, Chile and Mexico, despite their failure to do anything specific.

The unanimous support of the OAS manifested trust in the leadership of the United States and was, to use Robert Kennedy's phrase, "a heavy and unexpected blow to Khrushchev"



who might have attempted to split off the United States from its Latin American allies.

The Department of State's briefing of the Latin American Ambassadors<sup>1</sup> the night before the vote on the United States resolution, a briefing which included the showing of the U-2 photographs, had a telling effect on the minds of the Ambassadors, as it must have had on the minds of some of the members of the United Nations Security Council, as well as those who witnessed by television proxy Ambassador Stevenson's dramatic display of the enlarged U-2 photographs in the Council chamber.

The unanimous action of the OAS had a great impact upon United States allies in Europe and elsewhere beyond the Western Hemisphere. Furthermore, the release of the U-2 photographs gave evidence of the presence of offensive missiles in Cuba and dispelled "some doubts" expressed in the British press regarding the matter.

It was the President who understood the psychological importance of the U-2 photographs and ordered them released over the objection of the intelligence community.

The response in the form of a quarantine was in low key and so diplomatically and militarily proportioned to the provocation that it not only attracted the support of the OAS and NATO but also the approval of some of the unaligned countries. Conversely, had the United States government overresponded initially to the provocation, the quantum of support might not have been forthcoming. Nevertheless, the massive concentration of military power in south-eastern United States in preparation for escalating the response, if necessary, was apparently one of the vital factors in the outcome.

Of interest, it might be pointed out that, unlike the various crises that have arisen over Berlin, the United States enjoyed decisive conventional military superiority in the Cuban area.

## B. LEGAL

The OAS resolution was in consonance with Articles 6 and 8 of the Rio Treaty, and its decision was taken within the framework of the procedures established by the Treaty

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<sup>1</sup> The United States Ambassadors accredited to the various Latin American governments likewise conducted briefings in their foreign offices.

which was created as a regional arrangement to maintain peace and security in the region, and in conformity with the United Nations Charter.

The United States Proclamation on the interdiction of the delivery of offensive weapons and associated materiel to Cuba based on the OAS resolution was not a blockade in the traditional international law sense of the term. It did not interdict Cuban or communist commerce across the board which under international law would have been a blockade designed to secure maximum impact on the economy. Such a blockade would have been an act of war.

The quarantine was selective in nature and its purpose was to interdict the delivery of offensive weapons. The very use of the term "quarantine," it was hoped, would avoid the legal implication of blockade and emphasize the non-warlike intent of its action.

Its legality can be supported on any one of the following: the inherent right of self-defense (salus populi suprema lex); Article 51 of the United Nations Charter, (which though a pre-atomic document must be interpreted in the light of the nuclear weapons which have been developed since); and the right of collective action under the Rio Treaty.<sup>1</sup>

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<sup>1</sup> Most of the publicists on international law supported the legality of the quarantine. It is interesting to note that the Soviet Union did not discuss the legal question in the United Nations Security Council. The following articles stated the case for and against the legality of the quarantine:

Abram Chayes (formerly Legal Adviser of the Department of State), "The Legal Case for U.S. Action on Cuba," Department of State Bulletin, Vol. XLVII (19 November 1962), p. 763.

Leonard C. Meeker (formerly Legal Adviser of the Department of State), "Defensive Quarantine and the Law," American Journal of International Law, Vol. 57 (July 1963), p. 515.

Carl Q. Christol and Charles R. Davis, "Maritime Quarantine: The Naval Interdiction of Offensive Weapons and Associated Materiel to Cuba," ibid., p. 525.

Professor Quincy Wright took a contrary view in his article, "The Cuban Quarantine," ibid., p. 546.

### C. LATIN AMERICAN MATERIAL SUPPORT

The material support assistance offered by some of the Latin American governments, which is described in the roster on pages 219 to 222 was limited, and understandably so. While it can not be compared to the massive United States deployment of seapower<sup>1</sup> in the waters around Cuba it was, nevertheless, a manifestation of solidarity by them. The majority of the states which offered assistance were from the Caribbean region and the availability of their airfields was of particular importance in the surveillance of the affected area.

### D. THE QUARANTINE AND ARMS CONTROL

The quarantine was in itself an arms control measure, not only designed to interdict the further introduction of nuclear missiles, but compel the withdrawal of those already in Cuba. Moreover, from an arms control point of view, the missile crisis had an important psychological impact as it brought with it the realization of the ease with which the two super powers in a nuclear confrontation can reach the abyss.

For Latin America, the arms control implications of the Cuban missile crisis were far-reaching and noteworthy. It prompted the more important Latin American governments, even before the nuclear crisis was resolved, to move in the direction of insulating Latin America from the dangers of the spread of nuclear weapons. To that end Bolivia, Brazil, Chile and Ecuador submitted a draft resolution in the First

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<sup>1</sup> When the Cuban crisis unfolded, the United States Navy deployed "183 ships manned by more than 83,000 men..." in the waters around "Cuba, while over 30,000 Marines with them were poised and ready. The eight aircraft carriers that witnessed the withdrawal of the Soviet missiles logged more than 10,000 aircraft sorties on this mission; 90 ships of the Atlantic Cruiser-Destroyer Force steamed almost 800,000 miles in maintaining the quarantine along a 2,100-mile front; with them were nearly as many amphibians and Service Force ships." The United States Navy, Keeping the Peace (Washington, D.C.: Naval History Division, 1968), p. 38.

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Committee of the United Nations General Assembly on 15 November 1962. The four sponsors of this proposal, however, did not press it to a vote. They, joined by Mexico, found a more prestigious vehicle for their plan.

Thus on 29 April 1963, the Presidents of Bolivia, Brazil, Chile, Ecuador and Mexico issued the Five-Power Declaration on the Denuclearization of Latin America, urging the Latin American states to unite their efforts to turn the area into a denuclearized zone, and announced their readiness to sign a multilateral agreement to that end.

Less than five years later, the appeal of the five Presidents found fruition in the Treaty for the Prohibition of Nuclear Weapons in Latin America which was signed on 14 February 1967. As of August 1969 it had been ratified by 14 Latin American states.

The impetus for the treaty stemmed from the reaction of the Latin American states to the Cuban missile crisis and their clear recognition of the need for denuclearization of the region. It is important and significant in several ways. The purpose of the treaty was not only to prevent another missile crisis in the American continent, but also to obligate its signatories to forego a nuclear arms race among themselves. Moreover, the treaty has set an example for other populated areas of the world that are free of nuclear weapons to create nuclear free zones.

Viewed from the perspective of arms control the treaty marks one of the great milestones along the road to halt the proliferation of nuclear weapons.

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OAS RESOLUTION OF OCTOBER 23, 1962

ANNEX B

The Council of the Organization of American States, Acting Provisionally as Organ of Consultation, adopted by unanimous vote on October 23, 1962, the following resolution on the adoption of the measures necessary to prevent Cuba from threatening the peace and security of the Continent:

WHEREAS:

The Inter-American Treaty of Reciprocal Assistance of 1947 (The Rio Treaty) recognizes the obligation of the American republics to "provide for effective reciprocal assistance to meet armed attacks against any American state, and in order to deal with threats of aggression against any of them";

Article 6 of the said Treaty states:

"If the inviolability or the integrity of the territory or the sovereignty or political independence of any American State should be affected by an aggression which is not an armed attack or by an extra-continental or intra-continental conflict, or by any other fact or situation that might endanger the peace of America, the Organ of Consultation shall meet immediately in order to agree on the measures which must be taken in case of aggression to assist the victim of the aggression or, in any case, the measures which should be taken for the common defense and for the maintenance of the peace and security of the Continent;"

The Eighth Meeting of Consultation of Ministers of Foreign Affairs in Punta del Este in January, 1962, agreed in Resolution II "To urge the member states to take those steps that they may consider appropriate for their individual and collective self-defense, and to cooperate, as may be necessary or desirable, to strengthen their capacity to counteract threats or acts of aggression, subversion, or other dangers to peace and security resulting from the continued intervention in this hemisphere of Sino-Soviet powers, in accordance with the obligations established in treaties and agreements such as the Charter of the Organization of American States and the Inter-American Treaty of Reciprocal Assistance;"

The Ministers of Foreign Affairs of the American Republics meeting informally in Washington, October 2 and 3, 1962, reasserted "the firm intention of the Governments represented and of the peoples of the American Republics to conduct themselves in accordance with the principles of the regional system, staunchly sustaining and consolidating the principles of the Charter of the Organization of American States, and affirmed the will to strengthen the security of the hemisphere against all aggression from within or outside the hemisphere and against all developments



or situations capable of threatening the peace and security of the hemisphere through the application of the Inter-American Treaty of Reciprocal Assistance of Rio de Janeiro. It was the view of the Ministers that the existing organizations and bodies of the inter-American system should intensify the carrying out of their respective duties with special and urgent attention to the situation created by the communist regime in Cuba and that they should stand in readiness to consider the matter promptly if the situation requires measures beyond those already authorized";

The same meeting "recalled that the Soviet Union's intervention in Cuba threatens the unity of the Americas and its democratic institutions, and that this intervention has special characteristics which, pursuant to paragraph 3 of Resolution II of the Eighth Meeting of Consultation of Ministers of Foreign Affairs, call for the adoption of special measures, both individual and collective"; and

Incontrovertible evidence has appeared that the Government of Cuba, despite repeated warnings, has secretly endangered the peace of the Continent by permitting the Sino-Soviet powers to have intermediate and medium-range missiles on its territory capable of carrying nuclear warheads,

THE COUNCIL OF THE ORGANIZATION OF AMERICAN STATES, ACTING  
PROVISIONALLY AS ORGAN OF CONSULTATION,

RESOLVES:

1. To call for the immediate dismantling and withdrawal from Cuba of all missiles and other weapons with any offensive capability.
2. To recommend that the member states, in accordance with Articles 6 and 8 of the Inter-American Treaty of Reciprocal Assistance, take all measures, individually and collectively including the use of armed force, which they may deem necessary to ensure that the Government of Cuba cannot continue to receive from the Sino-Soviet powers military material and related supplies which may threaten the peace and security of the Continent and to prevent the missiles in Cuba with offensive capability from ever becoming an active threat to the peace and security of the Continent.
3. To inform the Security Council of the United Nations of this resolution in accordance with Article 54 of the Charter of the United Nations, and to express the hope that the Security Council will, in accordance with the draft resolution introduced by the United States, dispatch United Nations observers to Cuba at the earliest moment.



4. To continue to serve provisionally as Organ of Consultation and to request the member states to keep the Organ of Consultation duly informed of measures taken by them in accordance with paragraph 2 of this resolution.<sup>1</sup>

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<sup>1</sup> See Rio Treaty Applications, op. cit., pp. 111-112.

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ANNEX C

Interdiction of the Delivery of Offensive Weapons to Cuba

A PROCLAMATION

WHEREAS the peace of the world and the security of the United States and of all American States are endangered by reason of the establishment by the Sino-Soviet powers of an offensive military capability in Cuba, including bases for ballistic missiles with a potential range covering most of North and South America;

WHEREAS by a Joint Resolution passed by the Congress of the United States and approved on October 3, 1962, it was declared that the United States is determined to prevent by whatever means may be necessary, including the use of arms, the Marxist-Leninist regime in Cuba from extending, by force or the threat of force, its aggressive or subversive activities to any part of this hemisphere, and to prevent in Cuba the creation or use of an externally supported military capability endangering the security of the United States; and

WHEREAS the Organ of Consultation of the American Republics meeting in Washington on October 23, 1962, recommended that the Member States, in accordance with Articles 6 and 8 of the Inter-American Treaty of Reciprocal Assistance, take all measures, individually and collectively, including the use of armed force, which they may deem necessary to ensure that the Government of Cuba cannot continue to receive from the Sino-Soviet powers military material and related supplies which may threaten the peace and security of the Continent and to prevent the missiles in Cuba with offensive capability from ever becoming an active threat to the peace and security of the Continent:

NOW, THEREFORE, I, JOHN F. KENNEDY, President of the United States of America, acting under and by virtue of the authority conferred upon me by the Constitution and statutes of the United States, in accordance with the aforementioned resolutions of the United States Congress and of the Organ of Consultation of the American Republics, and to defend the security of the United States, do hereby proclaim that the forces under my command are ordered, beginning at 2:00 p.m. Greenwich time October 24, 1962, to interdict, subject to the instructions herein contained, the delivery of offensive weapons and associated materiel to Cuba.

For the purposes of this Proclamation, the following are declared to be prohibited materiel:

Surface-to-surface missiles; bomber aircraft; bombs, air-to-surface rockets and guided missiles; warheads for any of the above weapons; mechanical or electronic equipment to support or

operate the above items; and any other classes of materiel hereafter designated by the Secretary of Defense for the purpose of effectuating this Proclamation.

To enforce this order, the Secretary of Defense shall take appropriate measures to prevent the delivery of prohibited materiel to Cuba, employing the land, sea and air forces of the United States in cooperation with any forces that may be made available by other American States.

The Secretary of Defense may make such regulations and issue such directives as he deems necessary to ensure the effectiveness of this order, including the designation, within a reasonable distance of Cuba, of prohibited or restricted zones and of prescribed routes.

Any vessel or craft which may be proceeding toward Cuba may be intercepted and may be directed to identify itself, its cargo, equipment and stores and its ports of call, to stop, to lie to, to submit to visit and search, or to proceed as directed. Any vessel or craft which fails or refuses to respond to or comply with directions shall be subject to being taken into custody. Any vessel or craft which it is believed is en route to Cuba and may be carrying prohibited materiel or may itself constitute such materiel shall, wherever possible, be directed to proceed to another destination of its own choice and shall be taken into custody if it fails or refuses to obey such directions. All vessels or craft taken into custody shall be sent into a port of the United States for appropriate disposition.

In carrying out this order, force shall not be used except in case of failure or refusal to comply with directions, or with regulations or directives of the Secretary of Defense issued hereunder, after reasonable efforts have been made to communicate them to the vessel or craft, or in case of self-defense. In any case, force shall be used only to the extent necessary.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

/SEAL/ DONE in the City of Washington this twenty-third day of October in the year of our Lord, nineteen hundred and sixty-two, and of the Independence of the United States of America the one hundred and eighty-seventh.

/Signed/

John Fitzgerald Kennedy

7:06 P.M.  
October 23rd, 1962

By the President:  
DEAN RUSK,  
Secretary of State.<sup>1</sup>

<sup>1</sup> Department of State Bulletin, Vol. XLVII,  
(12 November 1962), p. 717.

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ANNEX D

OAS RESOLUTION ON THE COMBINED QUARANTINE FORCE,  
NOVEMBER 5, 1962

WHEREAS:

On October 23, 1962, the Council of the Organization of American States, acting provisionally as Organ of Consultation in application of the Inter-American Treaty of Reciprocal Assistance, adopted measures intended to preserve the peace and the security of the Continent, which were seriously threatened by the constant and growing intervention of extracontinental powers in Cuba when they installed ballistic missiles and other arms of an offensive capability on territory of that country;

The Organ of Consultation has recommended to the member states the adoption of individual and collective measures, including the use of armed force, for meeting that situation; and

Many member states have made formal offers of cooperation in accordance with the recommendation made in the second paragraph of the aforementioned resolution,

THE COUNCIL OF THE ORGANIZATION OF AMERICAN STATES  
ACTING PROVISIONALLY AS ORGAN OF CONSULTATION

RESOLVES:

1. To take due note of the offers of a military or other nature that the member states have made and are making in accordance with the terms of the resolution adopted on October 23, 1962, by the Council acting provisionally as Organ of Consultation.

2. To recommend that the member states participating with military forces or with other facilities in the defense of the Hemisphere work out directly among themselves the technical measures that may be necessary to the coordinated and effective action of the combined forces, and that they keep the Organ of Consultation informed of this action, in compliance with paragraph 4 of the above-mentioned resolution.

When this resolution was approved the Chairman made the following explanatory statement, which was also approved by the Council:

The Chairman states that a faithful record of the resolution adopted must make it clear that the Council, established provisionally as Organ of Consultation, is of the opinion that the measures for coordination referred to in paragraph two in no way constitute authorization for the formation of regional military groups within the inter-American system.<sup>1</sup>

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<sup>1</sup> See Rio Treaty Applications, op. cit., p. 153.

NOTE /ADDRESSED TO THE COUNCIL OF THE ORGANIZATION OF  
AMERICAN STATES/ FROM THE DELEGATIONS OF THE UNITED STATES  
OF AMERICA, ARGENTINA AND THE DOMINICAN REPUBLIC,  
DATED NOVEMBER 9, 1962,  
REGARDING THE ESTABLISHMENT OF A  
"COMBINED QUARANTINE FORCE"

November 9, 1962

We have the honor to address Your Excellency in order to refer to the resolutions adopted on October 23, 1962, and November 5, 1962, by the Council of the Organization of American States, acting provisionally as the Organ of Consultation. Among the measures of a technical nature which the various contributing governments may undertake in order to achieve a coordinated and effective action, in conformity with the Resolution of November 5, 1962, arrangements have been made among the Governments of Argentina, the Dominican Republic, and the United States of America under which naval units of these countries are participating in the quarantine operations around Cuba established pursuant to the resolution adopted by the Organ of Consultation on October 23, 1962. By agreement among the participating governments, a combined force has been established known as the "Combined Quarantine Force" under the operational command of Rear Admiral John A. Tyree, Jr., (USN), whose flag ship is currently the USS MULLINEX. Under this arrangement, officers of the participating navies act as members of the Staff of the Combined Quarantine Force, and the respective naval units are integrated in that force in order to carry out the operations mentioned above.<sup>1</sup>

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<sup>1</sup> See Rio Treaty Applications, op. cit., p. 154.

President Terminates Order Interdicting Deliveries to Cuba

A PROCLAMATION

I, JOHN F. KENNEDY, President of the United States of America, acting under and by virtue of the authority vested in me by the Constitution and statutes of the United States, do hereby proclaim that at 11 p.m., Greenwich Time, November 29, 1962, I terminated the authority conferred upon the Secretary of Defense by Proclamation No. 3504, dated October 23, 1962, and revoked the orders contained therein to forces under my command.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 21st day of November, in the year of our Lord nineteen hundred and sixty-two and of the Independence of the United States of America the one hundred and eighty-seventh.<sup>1</sup>

/SEAL/

/Signed/

John F. Kennedy

By the President:  
DEAN RUSK,  
Secretary of State.

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<sup>1</sup> Department of State Bulletin, XLVII (17 December 1962), p. 918.



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THE INTER-AMERICAN PEACE FORCE IN THE  
DOMINICAN CRISIS OF 1965

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THE INTER-AMERICAN PEACE FORCE IN THE  
DOMINICAN CRISIS OF 1965

I

GENERAL BACKGROUND

The Dominican Republic with an estimated population of some 3.7 million and a total area of approximately 18,800 square miles - about the size of Vermont and New Hampshire combined - occupies the eastern two-thirds of the Island of Hispaniola, with Haiti the other third to the west. The Island is situated in the Caribbean Sea between Cuba and Puerto Rico and lies across the main sea route from Europe to the Panama Canal.

The population is 70 percent mixed, 15 percent white, and 15 percent black. The annual population growth is believed to be 3.5 percent per annum. Over 50 percent of the population is thought to be illiterate. Santo Domingo, with a population of over 560,000 is the capital, and the largest city of the country. It is the political and economic heart of the nation.

The economy of the country is chiefly agriculture and approximately 60 percent of its people depend on it for their livelihood. The country is nearly self-sufficient in the food it produces. Exports, which include such items as cane sugar products, coffee, tobacco and cocoa, account for 90 percent of its foreign exchange.

The per capita income of the Dominican people was estimated at \$251 for 1964, \$211 for 1965, and \$220 for 1966.<sup>1</sup>

The Dominican crisis began with a military uprising on 24 April 1965. It was followed on 28 April by the landing of United States military forces, initially to protect American lives and to secure the evacuation of American and other foreign nationals, and beginning on 30 April, the landing of additional United States forces to prevent a communist take-over. On 6 May came the creation of the first Inter-American Peace Force.

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<sup>1</sup> United Nations Yearbook of National Accounts Statistics, 1967.

The causes of the April 1965 crisis are to be found in the troubled history of this land which dates back centuries, a history in which United States intervention was a part long before the Marines landed on 28 April 1965. An understanding of the crisis calls for a summary account of this country's historic pattern of instability.<sup>1</sup>

#### A. THE HISTORIC PATTERN OF INSTABILITY

For our purposes, it will be sufficient to trace briefly the pattern of events since 1822 when Haiti conquered the Dominican Republic and ruled it by terror and oppression for over two decades. Haitian rule, which significantly prevented the growth of national institutions, lasted until 1844 when a group of Dominican revolutionaries seized power and set up a provisional government.

Political turmoil, rival generals, and fear of another Haitian conquest led the Dominicans to place themselves under the flag of Spain in 1861, after France, England and the United States had each refused to give it their protection. "The withdrawal of the Spanish In 1865 left the country under the control of revolutionary generals who challenged each other for power. Between 1865 and 1882 there were seven successful revolutions and 16 chief executives."<sup>2</sup>

<sup>1</sup> An authoritative history of the Dominican Republic, chiefly on the political and diplomatic side, is Sumner Welles' two-volume work entitled, Naboth's Vineyard: The Dominican Republic, 1844-1924 (Saville books) [n.d.]. See, also, John Bartlow Martin, Overtaken by Events (Garden City, New York: Doubleday, 1966); T. D. Roberts, et al., Area Handbook for the Dominican Republic (Washington: GPO, 1966); Tad Szulc, Dominican Diary (New York: Delacorte, 1965); The Center for Strategic Studies, Dominican Action-1965: Intervention or Cooperation? (Washington, D.C.: Georgetown University, 1966); John C. Dreier, The Organization of American States and the Hemisphere Crisis (New York: Harper & Row, 1962).

<sup>2</sup> Roberts, op. cit., p. 38.



In 1882, the Dominican Republic fell into the hands of Ulises Heureaux who became its President and ruled it until 1899 when he was assassinated. During his dictatorship of 17 years he

depleted the treasury and attempted to replenish it by exacting forced loans from private citizens, printing large amounts of unsupported paper money and floating bond issues. Two loans were obtained from European banking houses. Both were secured by hypothecating the country's customs revenues and both were defaulted. Three loans then were obtained from a group of New York Financiers and again customs receipts were pledged. All three loans were defaulted. Heureaux attempted to settle his financial difficulties by offering either to sell the Samaná Peninsula to the United States or make the entire country a United States dependency. Both proposals were rejected and, when Heureaux was assassinated in 1899, the Dominican Republic was approximately RD\$32 million in debt to foreign creditors -- 10 times the size of the debt when Heureaux first assumed office.<sup>1</sup>

Following Heureaux's assassination, there arose a struggle for power between the two chief contenders Horacio Vasques and Juan Isidro Jimenez while the country was sinking deeper into a financial and economic mire. With the ascension of General Carlos F. Morales to the Presidency in 1904, and fearing armed intervention by the European powers to collect debts due their nationals, the General sought to place the Dominican Republic under the United States for a term of 50 years with control of the fiscal affairs of the Republic as a guarantee for the payments of annual installments to foreign creditors. This proposal the U.S. rejected on the ground that it was "unwilling to undertake intervention of so sweeping a character...."<sup>2</sup> The rejection, however, was not to be its last

<sup>1</sup> Roberts, *op. cit.*, p. 39. See, also, Welles, *op. cit.*, Chapters VI-VIII, Vol. 1, which deal with the corrupt and bloody rule of Heureaux. The Dominican dollar equals in value that of the United States dollar.

<sup>2</sup> Welles, *ibid.*, Vol. II, p. 612.

word in an effort to extricate the Dominican Republic from its difficulties. With the growing fear that the European Powers would intervene to seize the customs houses to secure payment for their nationals, President Theodore Roosevelt proposed a variant of the Morales proposal whereby the Dominican Republic would ask the United States government to take charge of the collection of customs duties and effect an equitable distribution of the proceeds among the Dominican Republic and the claimants. In due course, a modus vivendi was reached. A United States Receivership was installed in the Dominican Republic on 31 March 1905 to collect all customs revenues; 45% of such revenues collected was paid over to the Dominican government for its current expenses and 55% distributed among its creditors. The Roosevelt Corollary to the Monroe Doctrine, as applied in this instance, kept the European Powers from self-help measures as a means of enforcing the claims of their nationals, which would have entailed an occupation in contravention of the Monroe Doctrine.<sup>1</sup>

Dissident elements in the Dominican Republic, notwithstanding the beneficial economic effects of the Receivership, accused President Morales of fostering U.S. imperialism. Fearing for his life, he sought asylum in the American Legation and, upon resigning from the Presidency, left the Dominican Republic for Puerto Rico on a U.S. warship. Ramon Caceres, the Vice President, succeeded to the Presidency and held that office until he was assassinated in November, 1911. There followed a state of anarchy and civil war which continued on and off until 1916.

With the country in a state of civil war and President Juan Isidro Jimenez no longer able to control the disorder, the United States Marines landed at Santo Domingo on 4 May 1916 and, during the following weeks, continued to disembark Marines at different sea ports. Jimenez in the meantime resigned and went off to Puerto Rico and was succeeded by

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<sup>1</sup> See Green Haywood Hackworth, Digest of International Law, Vol. V (Washington: GPO, 1943), p. 453; and John Holladay Latane and David W. Wainhouse, A History of American Foreign Policy, 2nd rev. ed. (New York: The Odyssey Press, 1940), pp. 546-548 and 676.

Francisco Henriques Y. Carvajal as Provisional President who, Welles records,

was...informed that his Government would not be recognized by the United States until he acquiesced in the interpretation of the Convention of 1907 laid down by the Government of the United States, by which control of Dominican finances, control of a Dominican constabulary, and other additional measures of control in the American Minister's note to the Dominican Government of the preceding autumn would be vested in the Government of the United States.<sup>1</sup>

When the Provisional President failed to acquiesce, the General Receiver of Customs was directed to suspend forthwith all disbursements of Dominican funds. This, as expected, paralyzed the entire machinery of the Dominican government.

On 29 November 1916, Captain H. S. Knapp, aboard his flagship, the U.S.S. Olympia, in the harbor of Santo Domingo, under orders of the U.S. government, issued a proclamation declaring the Dominican Republic under United States military administration and in a state of occupation. The military occupation lasted until 18 September 1924, when the last Marine departed from the Dominican Republic.<sup>2</sup>

Martin sums up the period from 1904 to 1916 as follows:

The United States moved from the Roosevelt Corollary to full-scale Marine occupation of the Dominican Republic. First, we collected customs, then we forbade insurrection in order to maintain stability, then we held elections with warships in the harbor and sailors or Marines at the polls, then we demanded full control over internal revenues and expenditures, as well as

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<sup>1</sup> Welles, op. cit., pp. 779-780.

<sup>2</sup> The achievements of the United States military occupation are set forth in the Survey of American Foreign Relations, prepared under the direction of Charles P. Howland, and published for the Council of Foreign Relations (New Haven: Yale University Press, 1929), pp. 93-103.

over customs, then we demanded the disbanding of the Army and establishment of a Guardia Nacional (Constabulary), then we sent the Marines.<sup>1</sup>

With the election of General Horacio Vasquez as President in March 1924 and his inauguration in July, the last of the United States forces departed from the country in September 1924, with Dominican sovereignty restored.

Up to the time Rafael Leonidas Trujillo y Molina came to power - six years after the Marines departed from the Dominican Republic - the country had no fewer than 123 rulers - a succession of nationalities which included Spanish governors and captain-generals, French governors, a Colombian governor and president, Haitian presidents, and Dominican presidents and provisional presidents. "The history of the Republic," Martin goes on to state, "is really non-history. It shows no growth of a nation. We ourselves seldom realize how much we owe to our past. Dominican history, unfortunately, despite all the bravery and bloodshed and sacrifice, comes to nothing. The Dominicans have ended where they began."<sup>2</sup> Few countries in the western world can match the Dominican record of instability, revolution, turmoil and dictatorship.

Trujillo's rule, which began in 1930, remained unchallenged for 30 years. Upon assuming office, he moved quickly to consolidate his power. The entire governmental apparatus came under his control. Opposition parties were not permitted and, while elections were held regularly, those who held the Presidency were his puppets carrying out his orders.

Along with the consolidation of political power, came control of the many sectors of the economy, particularly the sugar industry, by the dictator's family and close associates. The Trujillo family acquired one-third of all the

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<sup>1</sup> Martin, op. cit., p. 28.

<sup>2</sup> Ibid., pp. 31-32.

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cultivable land and virtually all of the main commercial houses and manufacturing plants. The family fortune, at the time of Trujillo's assassination of 30 May 1961 has been estimated as high as a half billion dollars.<sup>1</sup>

Trujillo's dictatorship, and his flagrant and widespread violations of human rights, the denial of assembly and free speech, arbitrary arrest, cruel and inhuman treatment of political prisoners and the use of intimidation and terror as political weapons, were matters of common knowledge.

His murderous tactics reached out beyond the Dominican Republic. On 24 June 1960, President Romulo Betancourt of Venezuela was injured in an assassination attempt in Caracas and accused the Dominican dictator of having engineered the assassination attempt against him. The OAS on 20 August 1960 condemned the participation of the government of the Dominican Republic in the act of aggression and intervention against Venezuela that culminated in the attempt on the life of President Betancourt. The resolution also called for breaking of diplomatic relations of all OAS Members with the Dominican Republic and for a partial interruption of economic relations by all member states, beginning with the immediate suspension of trade in arms. This was the first instance in the Inter-American system in which the OAS recommended collective sanctions against a member state.

Following the assassination of Trujillo in May 1961, Lt. Gen. Rafael Trujillo, Jr., elder son of the dictator, took over as Chief of Staff of the Dominican Armed forces. In effect, the elder son succeeded his father as ruler of the country, with the figurehead President Joaquin Balaguer, retaining his office.

The New York Times of 2 June 1961, reported that "The whole Trujillo family remained very much in the political picture. Hector and Arismendi, brothers of the Generalissimo [the assassinated dictator], were reported taking leading roles in the family's determination to continue their dominant position." It appeared that democratization

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<sup>1</sup> Cf. Roberts, op. cit., pp. 42-43.

of the country was impossible as long as members of the Trujillo family remained in power, and on 23 October 1961, President Joaquin Balaguer announced that various members of the Trujillo family, including the two brothers of the late dictator, General Hector Bienvenido Trujillo and Lt. Gen. José Arismendi Trujillo would be leaving the country in the next few days.<sup>1</sup> On 21 November 1961, Le Monde, Paris, reported that General Rafael Trujillo, Jr. resigned as head of the armed forces, but before leaving the country on 17 November, "converted into cash more than \$200 million of personal property (companies, shares, etc.) which had been bought for him 'by the State' and after transferring to foreign banks all his personal fortune in dollars."<sup>2</sup>

President Balaguer assumed control of the armed forces and declared a state of emergency. In a radio broadcast on 19 November, he informed the nation that because of the differences that had arisen between the armed forces the country was at the brink of civil war, and feared foreign military intervention. He was referring to the United States naval units which were patrolling 3 miles off the Dominican coast, and to the United States Navy planes flying closer to the shore line. General Hector Bienvenido Trujillo and his brother Lt. Gen. José Arismendi Trujillo, others of the Trujillo family and their associates departed later the same day for Miami. The New York Times, 20 November 1961, asserted that the American show of force off the Dominican coast was believed to be the decisive factor in averting the restoration of a Trujillo dictatorship. Had Joaquin Balaguer appealed for aid, or had he been ousted from office by pro-Trujillo forces, the New York Times further asserted that it was known on the highest authority (presumably President Kennedy) that United States Marines would have been ordered to land in the Dominican Republic.

<sup>1</sup> U.S., Congress, Senate, Committee on Foreign Relations, Background Information Relating to the Dominican Republic, 89th Cong., 1st Sess., 1965, p. 8. Hereafter referred to as Background Information Relating to the Dominican Republic.

<sup>2</sup> Ibid., p. 8.

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With the removal of all diplomatic and economic sanctions by the OAS on 4 January 1962, the American and Dominican governments resumed diplomatic relations on 6 January. This was followed by the resignation of President Balaguer after serious rioting, with a new civil-military junta sworn in to take over control of the government on 16 January.

Juan D. Bosch, candidate of the Dominican Revolutionary Party (PRD), who spent 26 years in exile during the dictatorship of Generalissimo Trujillo, was elected President on 20 December 1962 by a vote of 580,000 to 270,000 cast for Dr. Viriato Fiallo of the right of center National Civic Union.

President Bosch held office from 26 February 1963 to 25 September when he was ousted in a predawn bloodless military coup. His liberal political orientation and his concern for the betterment of the Dominican people had raised high hopes on the part of the United States government. With his downfall, the Administration suspended diplomatic relations and stopped economic assistance to the Dominican Republic.

On the day following the military coup a three-man civilian junta was sworn in and on 14 December, the United States extended it diplomatic recognition. Donald J. Reid Cabral, the Foreign Minister in the governing civilian junta, became its chief on 22 December 1963.

Former President Juan D. Bosch, in an interview in New York on 10 June 1964, predicted a revolution soon against the ruling junta. He declared:

Corruption is so widespread in political and military ranks that it is undermining the politico-military dictatorship led by Donald Reid Cabral, chief of the junta.... Everything that could be pocketed has been. Given the limited economic possibilities of the country, the looters are falling out among themselves.<sup>1</sup>

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<sup>1</sup> Background Information Relating to the Dominican Republic, op. cit., p. 14.



On 24 April 1965, the Bosch prediction took place. The military uprising against the ruling junta was staged by supporters of Bosch who sought to reinstate him as President. While some of the Army approved of Bosch's return, the Air Force, the Navy and most Army units opposed it. With this military uprising began what has become known as the Dominican crisis of April 1965, a crisis which led to the military intervention of the United States, and subsequently to the creation by the OAS of the Inter-American Force (IAF), whose name was later changed to the Inter-American Peace Force (IAPF).

This summary of some of the more important historical events in the Dominican Republic affords a clearer understanding of the developments which unfolded in April 1965. This crisis pattern was by and large similar to those which have often wracked the Dominican Republic for over a century.

To be sure, some of these crises, as we have seen, and others in the Caribbean, have in the past led to American military intervention for one reason or another, but they have also led to a growing fear of United States power on the part of the Latin American States.

#### B. THE OAS CHARTER AND NONINTERVENTION

The Charter of the Organization of American States, signed at the Ninth International Conference of American States held at Bogota on 30 April 1948, and subsequently ratified by the 21 signatory states, consecrated and strengthened the principle of nonintervention which the Latin American states cherish.

Articles 15, 16 and 17 of the Charter set forth in clear and specific language the obligations of states with respect to intervention:

##### Article 15

No State or group of States has the right to intervene, directly or indirectly, for any reason whatever, in the internal or external affairs of any other State. The foregoing principle prohibits not only armed force but also any other form of interference or attempted threat against the personality of the State or against its political, economic and cultural elements.

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Article 16

No State may use or encourage the use of coercive measures of an economic or political character in order to force the sovereign will of another State and obtain from it advantages of any kind.

Article 17

The territory of a State is inviolable; it may not be the object, even temporarily, of military occupation or of other measures of force taken by another State, directly or indirectly, on any grounds whatever. No territorial acquisitions or special advantages obtained either by force or by other means of coercion shall be recognized.

The sole exception to the prohibitions of Articles 15, 16 and 17 is set forth in Article 19 of the OAS Charter which provides that "Measures adopted for the maintenance of peace and security in accordance with existing treaties /I.e. the Rio Treaty/, do not constitute a violation of the principles set forth in Articles 15 and 17." Article 6 of the Rio Treaty states:

Article 6

If the inviolability or the integrity of the territory or the sovereignty or political independence of any American State should be affected by an aggression which is not an armed attack or by an extra-continental or intra-continental conflict, or by any other fact or situation that might endanger the peace of America, the Organ of Consultation shall meet immediately in order to agree on the measures which must be taken in case of aggression to assist the victim of the aggression or, in any case, the measures which should be taken for the common defense and for the maintenance of the peace and security of the Continent.

If the nonintervention principle in the Charter of the OAS is a keystone in Latin-American relations with the United States, an equally important keystone in the policy of the United States is the prevention of the spread of communism in the hemisphere be it of a Castro or some other vintage. Each of these keystones with the sole exception

set forth in Article 6 of the Inter-American Treaty of Reciprocal Assistance of September 1947, it would appear, supports a different and contradictory arch.

The apparent incongruity of these keystones supporting a different and contradictory arch is resolved, in principle, by Article 19 of the Charter quoted above. The question that remains unanswered is whether in the Dominican crisis this principle was observed.

## II

### THE MILITARY UPRISING AND THE UNITED STATES INTERVENTION

What triggered the military uprising on 24 April 1965 was the attempt on the part of General Rivera Cuesta, Army Chief of Staff, to arrest several Army officers accused of plotting the overthrow of President Reid Cabral. The attempt failed when the Army Chief of Staff was himself seized. The disaffected and rebel elements of the Dominican Army, supporters of former President Juan D. Bosch, seized the radio stations in Santo Domingo as well as the headquarters of the Dominican Army.

On the following day, 25 April, the Reid Cabral government collapsed. The rebels extended their control of Santo Domingo, took over the National Palace, and announced the selection of José Rafael Molina Ureña as Provisional President.<sup>1</sup> The rebels were divided on the question whether Bosch should be returned to power, while the leaders of the Dominican Navy and Air Force were opposed to Molina Ureña, and cast their lot with General Wessin y Wessin.<sup>2</sup>

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<sup>1</sup> Molina Ureña was President of the Chamber of Deputies during the Presidency of Juan Bosch. The latter was overthrown by a military coup d'etat in September 1963.

<sup>2</sup> Wessin was the strong man of the loyalist forces when the rebellion began in April 1965. He was also the leader in the overthrow of the Bosch government.

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The New York Times of 26 April 1965 sought to explain the uprising in the following words:

One suspects the real reason for the revolt to be the fact that Donald Reid, the strong man in the overthrown Government, had cut down the military establishment in February and dismissed a number of officers. Moreover, Mr. Reid had instituted several necessary austerity measures, which made him unpopular and hence vulnerable.

In Santo Domingo, the pro-Bosch rebels handed out rifles and machine guns to several thousand civilians, and a number in the capital city were said to be in possession of gasoline-bottle bombs (Molotov cocktails) fueled free by service stations. Looting and arson were widespread and the New York Herald Tribune, 26 April 1965 reported that five political headquarters were set afire.

Armed mobs roamed the city, looting, and shooting indiscriminately. The police, unable to control the mobs, melted away. The rebel leaders could no longer control the mobs and it appeared that extremist leadership was gaining the upper hand.

#### A. THE DECISION TO INTERVENE

In this deteriorating situation, a large number of United States citizens, fearing for their lives, gathered at the Hotel Embajador and requested the United States Embassy that they be evacuated. Major General R. McC. Tompkins, Deputy Chief of Staff, CinClant reports on preparations for such an eventuality, as follows:

At 1104 on the 25th of April, CINCLANTFLT notified CTG 44.9 to take station off the southwest coast of the Dominican Republic, out of sight of land, and be prepared to evacuate U.S. citizens from Santo Domingo. By 0200 the next morning the ships with the embarked Marines and their helicopters were just under the horizon to the west of Santo Domingo where the fight raged through the streets....

During the 26th the Embassy advised American citizens to prepare for evacuation. Both Loyalists and rebels agreed not to interfere with the evacuation when

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it commenced. Smoke from burning buildings and the constant rattle of small arms fire dominated the city. Mobs roamed the streets, looting and rioting.<sup>1</sup>

A convoy of busses and trucks transported over 1,000 American evacuees from the Hotel Embajador on April 27 to the port of Haina, some seven miles west of Santo Domingo. At Haina the U.S. naval ships Ruchmakin and Wood County took on 620 evacuees and 556 were lifted by helicopter to the U.S. naval ships Boxer and Raleigh, which had closed the coast to within about five miles.<sup>2</sup>

Throughout the night of 27 April into the daylight hours of the 28th, the fighting between the rebels and the loyalists continued. "A steady stream of civilians - U.S. and friendly foreign nationals - milled around on the lawn of the Embajador Hotel." On the afternoon of the 28th the U.S. Embassy was informed by the police that they could no longer guarantee the safety of these people.

At about this same time, Col. Pedro Bartolomé Benoit, head of the three-man military junta formed by the anti-Bosch forces, asked the American Ambassador, Tapley Bennett, to land 1,200 Marines to restore order.<sup>3</sup> This request was

<sup>1</sup> Major General R. McC. Tompkins, "Ubique," Marine Corps Gazette, September 1965, p. 34.

<sup>2</sup> Ibid., p. 34.

<sup>3</sup> The Center for Strategic Studies, Georgetown University, in its Special Report, Dominican Action - 1965: Intervention or Cooperation?, op. cit., p. 33, is the source for this information. In preparing this Report, the Center asserted it had access to primary sources, presumably classified materials not in the public domain. Lt. General Bruce Palmer, Commander of U.S. Forces in the Dominican Republic and Deputy Commander of the IAPF, in his address entitled U.S. Stability Operations in the Dominican Republic to the Association of the U.S. Army, Washington, D.C. on 11 October 1966, p. 6, stated that the military junta on 28 April 1965, after informing the American Ambassador of the inability to protect foreign lives and property asked him "for U.S. troop support."

passed on to the State Department with the Ambassador's view that the situation did not then justify such action. He soon learned that "a rebel mob had broken into the Agency for International Development offices, and snipers were firing on the evacuation areas...."<sup>1</sup> The Embassy itself came under increasing small-arms fire from the rebels who were ensconced in nearby areas.

The Ambassador then suggested that Commodore Dare, head of the Naval Task Force, send Marines to guard the evacuation area and also requested reinforcements for the Embassy guards. As the Marines were flown in by helicopter, the atmosphere at El Embajador brightened, General Tompkins records. The Marine platoon sent to the Embassy "sought out thoughtful firing points in the Embassy grounds" and traded "shot for shot with enthusiastic rebels, to the detriment of the latter."<sup>2</sup>

During the afternoon, Ambassador Bennett recommended to the State Department that Marines be brought in to "establish a beachhead in Hotel Embajador vicinity centering on the polo field which can be used by helicopters for landing" to evacuate the American citizens and other foreign nationals gathered in and around the Hotel area.<sup>3</sup> In a subsequent message, he suggested to Washington that "the time had come to give serious thought to armed intervention to establish order." He and his country team felt that "if the situation continued to deteriorate...power would be assumed by groups identified with the Communists."<sup>4</sup> But he did not in his message recommend direct intervention beyond the evacuation measures mentioned above.

In this rapidly moving situation in Santo Domingo, changing from one hour to the next, there was need for swift action and the United States government felt there was no time or opportunity during the afternoon of the 28th for further consultations with the Latin-American Ambassadors nor

<sup>1</sup> Dominican Action-1965, op. cit., p. 34.

<sup>2</sup> Tompkins, op. cit., p. 35.

<sup>3</sup> Dominican Action-1965, op. cit., p. 34.

<sup>4</sup> Ibid.

for invoking what it considered the slow-moving procedure of the Organization of American States. (It should be recalled that in the Cuban missile crisis in October 1962, with its grave threat to the Western Hemisphere, the OAS met, debated and unanimously adopted in less than twelve hours the resolution authorizing the taking of all measures to bring about the removal of the missiles and to ensure that Cuba be prevented from receiving from the Sino-Soviet powers military material which might threaten the peace and security of the Continent.)

On the evening of the 28th, President Johnson announced that he had "ordered the Secretary of Defense to put the necessary American troops ashore in order to give protection to hundreds of Americans who are still in the Dominican Republic and to escort them safely back to this country. This same assistance will be available to the nationals of other countries, some of whom have already asked for our help."<sup>1</sup> He further announced that pursuant to his instructions, 400 Marines had already landed and that there had been no incidents.

Although the President had mentioned only the need to protect American lives and ensure the evacuation of Americans and other foreign nationals, the "Communist" issue was raised in press accounts that followed his announcement of the initial landings. Officials in Washington, according to the New York Times of 29 April 1965, "said the Marines would stay in the Dominican Republic 'as long as necessary.' They stressed that the Marines were not to take sides in the struggle between Dominican political and military factions. Although these sources said that some Communist leaders had been clearly identified as among the rebel forces, they avoided suggesting that the Communists had captured the rebellion. It appeared, they felt, that the superiority of weapons lay with non-Communist forces attempting to crush the rebellion in any case." The New York Herald Tribune, 29 April 1965, carried a report that "The hard-core Communists and Castroites by yesterday [28 April] had effectively seized control of the movement to bring back the deposed Mr. Bosch...."

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<sup>1</sup> Statement by President Johnson, 28 April, U.S. Department of State Bulletin, Vol. LII (17 May 1965), p. 738.



As the situation in Santo Domingo continued to deteriorate, Ambassador Bennett on 29 April informed Washington that he now believed that a rebel victory would probably lead to a pro-Communist government. At 2:36 in the afternoon Washington asked whether the situation required direct intervention. He replied affirmatively. At 4:44 P.M., 1,580 additional Marines were put ashore. This additional increment was prompted by a further request from the military junta, the worsening situation and the disappearance of law and order in the city resulting in anarchy. Later in the evening the President ordered the paratroopers of the 82nd Airborne Division to proceed by air to reinforce the American forces already in the Dominican Republic.

The next day President Johnson, in a broadcast over a nationwide radio-tv network stated:

For two days American forces have been in Santo Domingo in an effort to protect the lives of Americans and the nationals of other countries in the face of increasing violence and disorder. With the assistance of these American forces, over 2,400 Americans and other nationals have been evacuated from the Dominican Republic. We took this step when, and only when, we were officially notified by police and military officials of the Dominican Republic that they were no longer in a position to guarantee the safety of American and foreign nationals and to preserve law and order.

In the last 24 hours violence and disorder have increased.... By an outstanding effort of mediation the Papal Nuncio has achieved an agreement on a ceasefire which I have urged all those concerned to take. But this agreement is not now, as I speak, being fully respected....

Meanwhile there are signs that people trained outside the Dominican Republic are seeking to gain control. Thus the legitimate aspirations of the Dominican people and most of their leaders for progress, democracy, and social justice are threatened and so are the principles of the inter-American system.<sup>1</sup>

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<sup>1</sup> The full text of the President's statement is given in the Department of State Bulletin, op. cit., pp. 742-743.

The President emphasized the importance of sending representatives of the Organization of American States to the Dominican Republic as soon as possible in order to strengthen the cease-fire and to help clear a road to the return of constitutional process and free elections. As if mindful of the cumbersome and slow-moving machinery of the Organization of American States, he went on to say that "late action, or delay, in such a case could mean a failure to accomplish the agreed objectives of the American States ...."

"The United States," he concluded, "will give its full support to the work of the Organization of American States and will never depart from its commitment to the preservation of the right of all of the free people of this hemisphere to choose their own course without falling prey to international conspiracy from any quarter."

The President's broadcast marked the first public indication by the United States government that Castro-controlled communists might be playing a role in the revolt. John Martin reports that he met with the President prior to the latter's address to the nation that evening to receive instructions before leaving on his mission to the Dominican Republic. The President instructed Martin "to help Ambassador Bennett to open up contact with the rebels, to help the OAS and the Nuncio to get a cease-fire and to stop the bloodshed...." During that meeting, Martin quotes the President as saying that he did not intend "to sit here with my hands tied and let Castro take that island. What can we do in Vietnam, if we can't clean up the Dominican Republic? I know what the editorials will say but it would be a hell of a lot worse if we sit here and don't do anything and the Communists take that country."<sup>1</sup>

On 2 May, the President again spoke to the American people in a nationwide radio-television broadcast in which he said:

Let me also make clear tonight that we support no single man or any single group of men in the Dominican Republic. Our goal is a simple one. We are there to

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<sup>1</sup> Martin, op. cit., p. 661.

save the lives of our citizens and to save the lives of all people. Our goal, in keeping with the great principles of the Inter-American system, is to help prevent another Communist State in this Hemisphere.<sup>1</sup>

He announced that he had ordered another 4,500 American troops to the Dominican Republic, bringing the total in that country to some 14,000 Marines and paratroopers. The President feared that the Communists might get the upper hand and he was not taking any chances.

**B. THE UNITED STATES MILITARY BUILDUP AND THE INTERNATIONAL SAFETY ZONE**

As the Marines landed on the night of 28 April, they came over "Red Beach" near Port Haina and secured the road leading into the capital. They proceeded to establish an international safety zone in the western part of Santo Domingo, which included the U.S. Embassy and most of the other embassies.<sup>2</sup>

In accordance with President Johnson's orders, the two-battalion brigade of the 82nd Airborne Division - with additional forces to come later - found itself flying over the Caribbean on the night of 29 April. "Transporting the troopers," quoting General Bruce Palmer,

and their equipment was an airstream of 156 troop carriers (133 C-130's and 23 C-124's) only minutes apart in the dark. Their original destination was Ramey Air Force Base in Puerto Rico where the force was to stage for a final parachute assault at dawn on 30 April to secure San Isidro Airfield, about ten miles east of Santo Domingo. However, because of the rapidly deteriorating situation, the decision was made at Washington level to divert the movement, while airborne and at night, to airland at San Isidro. This was a hairy operation landing at night on a strange air field whose lights were out of order. Moreover, although the military Junta loyal

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<sup>1</sup> Department of State Bulletin, op. cit., p. 747.

<sup>2</sup> For map of the ISZ, see Annex A.

to the old government, was operating from the San Isidro area, the situation there was far from clear insofar as our commanders knew.<sup>1</sup>

After landing at San Isidro the 82nd Airborne Division troops moved west from their expanded airhead and secured a bridgehead at Duarte Bridge over the Ozama River, the eastern gateway to Santo Domingo.

Most of Santo Domingo, as of 1 May, including the vital downtown area and the northeastern portion, was in rebel hands. "Thus," to quote General Palmer,

there was a large, Rebel-held gap between the U.S. Forces to the east and west of the city. Obviously, a ground link-up between the U.S. Forces was mandatory if we were to exploit our military power to stabilize the situation. Moreover, there was no safe access to the ISZ except over the beach since the overland route to San Isidro Airfield and the International Airfield further to the east passed through the Rebel-held portion of the city. It was also felt that through such a U.S. Force link-up operation, we had a good chance to interpose our forces between the warring Rebel and Loyal Dominican Forces.<sup>2</sup>

The Special Committee of the OAS then in Santo Domingo<sup>3</sup> recognized the need for such a corridor and assented to its establishment, as did Washington. Accordingly, General Palmer in the early hours of 3 May ordered 3 battalions of the 82nd Airborne Division to effect the link-up, making contact with the Marines near the northeast corner of ISZ. The corridor in effect thus became an extension of the ISZ. The link-up was achieved with relatively light resistance.<sup>4</sup>

<sup>1</sup> Palmer, op. cit., pp. 7-8.

<sup>2</sup> Ibid., p. 11.

<sup>3</sup> The OAS itself had earlier called for the establishment of an international zone. See, infra, p. 263.

<sup>4</sup> The link-up operation is described in detail in Tompkins, op. cit., pp. 38-39. Annex B shows the link-up.

General Palmer established ground rules on the use of the corridor.

No Dominican armed forces were allowed in the corridor. Anyone could traverse it or cross it; that is, enter or leave the Rebel Zone downtown, so long as he was not armed. Passage could be made, however, only at specific check points where a search for arms was conducted. We also used the corridor to distribute food, water and medical care to the people of the city who by this time badly needed such help.<sup>1</sup>

The creation of the corridor - a cordon sanitaire - was a signal event. It interposed United States forces between the rebels and the military junta forces, with 80% of the rebel forces total strength sealed off with their backs to the sea. With the creation of the ISZ and the link-up, the stage was set to effect a cease-fire and to give the OAS a better climate in which to negotiate a solution with the contending parties.

General Palmer prescribed the ground rules of engagement. Among them was the stricture "no firing first, only returning fire in self-defense." This ground rule he stated "was enforced with increasingly strict discipline, and the decision to return fire, or to maneuver, was generally denied to individuals and small unit leaders."<sup>2</sup>

The rapid buildup<sup>3</sup> of the United States forces in the Dominican Republic was impressive. Within six days from the initial landing, over 15,000 troops including the assault element of the major force - 9 battalions of the 82nd Airborne Division and 3 battalions of the 4th MEB - were on hand.

General Palmer records that almost 14,000 tons of equipment had been landed by air, and on 10 May the troop strength reached its peak of approximately 22,500. Of this number, 80% arrived by air and the rest over "Red Beach." Virtually all the heavy equipment came by sea.

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1 Palmer, op. cit., p. 12.

2 Ibid., p. 12.

3 Annex C depicts the buildup of the total United States force in the Dominican Republic.



More than 25% of the resupply in the first month came in by air, and after things settled down, 89% came in by sea, and 11% by air, a more normal proportion.<sup>1</sup>

III

ACTION IN THE OAS

A. INITIAL ACTIONS

In Washington the Uruguayan OAS Ambassador Oribe met with Jack H. Vaughn, the Assistant Secretary of State in charge of Latin-American Affairs, on Tuesday, 27 April, and discussed the possibility of calling a meeting of the Inter-American Peace Committee (IAPC). On the same day, and on the initiative of the United States, the IAPC met and heard an account of the revolt by the Dominican Ambassador Bonilla. The IAPC considered its jurisdiction in the matter but took no decision except to keep itself informed of developments.

At its regularly scheduled meeting on 28 April, the Council of the OAS (COAS), upon concluding routine business, heard Ambassador Bonilla report on developments in the Dominican Republic, emphasizing Castro-communist involvement. In the evening of 28 April, as all Latin-American Ambassadors were being advised of the landings of American Marines in Santo Domingo, the U.S. requested a special meeting of the COAS for the next morning.

At the special meeting on the morning of 29 April, Ambassador Ellsworth Bunker, the U.S. Representative, reported the landing of U.S. Marines the previous evening to protect American lives and to secure evacuation of U.S. nationals and others requesting such assistance, and further stated that the U.S. had no intention of interfering in any way in the political life of the Dominican Republic. Many of the Ambassadors, including those of Mexico, Colombia, Venezuela, and Chile, expressed distress at the developments in the Dominican Republic and concern over the unilateral action of the U.S.

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<sup>1</sup> The figures are taken from General Palmer's address, op. cit., p. 15.

The COAS approved a message to be sent by the Secretary-General to the Apostolic Nuncio as Dean of the Diplomatic Corps in Santo Domingo, requesting that he arrange for a cease-fire. The COAS further discussed means of implementing inter-American procedures with the Venezuelan Representative announcing his intention to request the convocation of a Meeting of the Foreign Ministers (MFM) under the OAS Charter or alternatively of the Organ of Consultation under the Rio Treaty. This proposal was strongly supported by the U.S. Representative.

The COAS, after a recess of several hours to permit the members of the Council to obtain instructions from their governments on the action to be taken, met from 10 P.M. on the evening of 29 April to 2 A.M. 30 April to consider the question of calling a MFM. The U.S. proposal that the 10th MFM begin work 30 April instead of 1 May as proposed by Chile was turned down. The COAS approved the Chilean proposal for a MFM meeting on 1 May under Article 39<sup>1</sup> of the OAS Charter by a vote of 18-1 (Uruguay) - 1 (Dominican Republic).<sup>2</sup> Uruguay was opposed to the calling of a MFM because its government felt the revolution in the Dominican Republic was an internal affair, and the Dominican Ambassador abstained because the resolution did not explicitly refer to the Communist threat as the reason for calling the meeting.

At this same meeting, the COAS by a vote of 16-0-4 (Chile, Mexico, Venezuela, Uruguay) reiterated its earlier appeal for a cease-fire and called for the immediate establishment of an international neutral zone of refuge encompassing the area of Santo Domingo immediately surrounding the embassies of foreign governments, the inviolability of which was to be respected by all opposing forces and within which nationals of all countries were to be given a safe

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1 "The Meeting of Consultation of Ministers of Foreign Affairs shall be held in order to consider problems of an urgent nature and of common interest to the American States, and to serve as the Organ of Consultation."

2 For text of resolution, see OAS Official Records, Doc. 79, Rev. Add., 8 September 1965. Hereinafter, the OAS Official Records will be referred to by Document number and date.



haven. In taking this action the COAS was aware of the presence of American military forces, and presumably contemplated their indispensable participation in setting up such a zone.

At 4 P.M., 30 April, another special meeting was held to hear a further report from Ambassador Bunker on the landing of additional U.S. airborne troops and the situation in the Dominican Republic. The meeting also considered a report received by the Secretary-General from the Papal Nuncio in Santo Domingo on the situation in that city and on his efforts to arrange for a cease-fire.<sup>1</sup>

In response to a U.S. proposal, the OAS requested its Secretary-General to fly to Santo Domingo to work directly with the Papal Nuncio and the Diplomatic Corps toward a cease-fire agreement, and to prepare for the arrival of an OAS Committee, should the latter be approved by the scheduled Meeting of Consultation of Ministers of Foreign Affairs. The Secretary-General departed for the Dominican Republic at 7 P.M., 30 April.

On 1 May 1965 at 10 A.M. the Tenth Meeting of Consultation of Ministers of Foreign Affairs began.<sup>2</sup> The morning meeting, organizational in character, dealt with the election of a president, selection of committees, precedence, etc. There were also general statements of country positions.

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<sup>1</sup> The Secretary-General received a telephonic report from the Papal Nuncio at 8 A.M. on 29 April stating that: "The situation is very serious. Both sides would favor prompt assistance of the OAS. I am trying to effect a ceasefire." Three hours later he informed the Secretary-General that he had obtained a formula for a cease-fire. See Doc. 405, 1 November 1965.

<sup>2</sup> The official title is the Tenth Meeting of Consultation of Ministers of Foreign Affairs. For brevity's sake it will be referred to hereinafter as the 10th MFM. Except for a few days when three Foreign Ministers attended (Brazil, Paraguay and the United States), the member states of the OAS were represented at the 10th MFM by their ambassadors on the COAS acting in the capacity of special delegates, as permitted by Article 42 of the OAS Charter.

The U.S. submitted two draft resolutions: one called for a committee to go to the Dominican Republic, and the other for military contingents from other member states. A Mexican draft resolution called for a reaffirmation of the duties of the members under the OAS Charter, particularly with respect to nonintervention, and called upon the U.S. to withdraw its troops. A Chilean draft resolution also called for an end to the U.S. unilateral action as soon as compatible with its humanitarian mission.

The Brazilian and several other delegates joined in a plea to separate the urgent need of getting a committee appointed from the doctrinal aspects dealing with the principles of the Charter. This led to a compromise, based on a portion of the Mexican draft, which was co-sponsored by Argentina, Brazil, Colombia, Guatemala, Mexico, Peru and the United States.

The resolution was adopted by the 10th MFM by a vote of 19-0-1 (Chile) on 1 May 1965.<sup>1</sup> It established a Special Committee, composed of the OAS ambassadors from Argentina, Brazil, Colombia, Guatemala, and Panama, which was to proceed to Santo Domingo immediately. Its mission was to offer its good offices to the military and political groups and diplomatic representatives in the Dominican Republic for the purposes of obtaining a cease-fire and the orderly evacuation of persons who had taken asylum in diplomatic missions and of all foreign citizens who desired to leave the Dominican Republic. The Special Committee was to carry out an investigation of all aspects of the situation and submit a report, including conclusions and recommendations, as soon as possible.

## B. ESTABLISHING THE INTER-AMERICAN FORCE

The draft resolution introduced by the United States on 1 May proposing the creation of an inter-American military or police force to assist the Special Committee in carrying out its mission was not acted on by the 10th MFM at its 1 May meeting. The General Committee of the 10th MFM continued its deliberations on the subject on 3, 4, and 5 May.

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<sup>1</sup> The text of the resolution is contained in Doc. 78, Rev. 6 Corr., 21 July 1966.

At the 3 May meeting, Ambassador Bunker explained the reasons for President Johnson's decision to order some 4,500 additional troops sent to the Dominican Republic. He then addressed himself to the United States draft resolution calling for the establishment of a multilateral inter-American force which would be available to respond to the requests of the Dominican authorities and the needs of the Dominican people and would also protect the lives and safety of other nationals. Had an inter-American force been available, he pointed out, it could have assumed the functions which it had been necessary for the United States forces to carry out. The draft resolution was intended to fill this gap, at least temporarily, said Ambassador Bunker, and in his opinion, "this question of the establishment of such a force is something which might well be brought up for discussion in the forthcoming meeting which is to take place in Rio de Janeiro this month."<sup>1</sup>

On 4 May the MFM received a report from the Special Committee in Santo Domingo, which, inter alia, recommended the establishment of "a combined inter-American military force under the Organization of American States to achieve the objectives" set by the 10th MFM.<sup>2</sup> This recommendation had a marked influence on the debate on creating a multinational force, as did the intense diplomatic activity of the United States Chiefs of Mission in the Latin-American capitals.

After a protracted discussion which began the evening of 5 May and carried on through the night and into the next

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<sup>1</sup> Department of State Bulletin, Vol. LII (31 May 1965), p. 859. The COAS on 12 May postponed the Second Special Inter-American Conference, scheduled to convene at Rio de Janeiro on 20 May. It finally met in November 1965.

<sup>2</sup> Doc. 47 Rev. 2 June 1965, p. 13.

morning, the 10th MFM adopted by a bare two-thirds majority a resolution<sup>1</sup> requesting

"the governments of member states that are willing and capable of doing so to make contingents of their land, naval, air or police forces available to the Organization of American States, within their capabilities and to the extent they can do so, to form an inter-American force that will operate under the authority of the Tenth Meeting of Consultants."

The resolution stated that the sole purpose of the inter-American force would be,

in a spirit of democratic impartiality, that of cooperating in the restoration of normal conditions in the Dominican Republic, in maintaining the security of its inhabitants and the inviolability of human rights, and in the establishment of an atmosphere of peace and conciliation that will permit the functioning of democratic institutions.

The resolution requested the commanders of the military contingents to work out the measures necessary to establish a Unified Command of the OAS for the coordinated and effective action of the Inter-American Force. At such time as the OAS Unified Command determined that the Inter-American Force was adequate for the purposes contemplated in the resolution, "the full responsibility of meeting these purposes" was to be "assumed by that Force."

As for the withdrawal of the force from the Dominican Republic, the resolution provided that this would be determined by the 10th MFM.<sup>2</sup>

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<sup>1</sup> The OAS Charter requires a two-thirds majority for the adoption of any resolution of this kind. Those supporting the resolution were U.S., Brazil, El Salvador, Honduras, Guatemala, Costa Rica, Panama, Nicaragua, Argentina, Paraguay, Haiti, Dominican Republic, Bolivia, and Colombia. Those voting against the resolution were Chile, Ecuador, Peru, Mexico, and Uruguay, with Venezuela abstaining. The full text of the resolution is appended to this paper as Annex D.

<sup>2</sup> This was later amended to include a coordinated role for the government of the Dominican Republic.

In the early morning hours of 6 May, following the adoption of this unprecedented resolution, Ambassador Bunker stated to the 10th MFM that when the Unified Command decided that the IAF was adequate for the purposes contemplated by the resolution adopted, any U.S. forces not needed as part of the IAF would be withdrawn from the Dominican Republic. The American government, he said, would be consulting with other members of the OAS with a view to their contributing contingents to the IAF and stood ready to provide logistical and other support as may be desired.

There was widespread anger and dismay throughout Latin America and in the OAS at the unilateral military intervention of the United States in the Dominican crisis without consulting the OAS beforehand. As the facts and the nature of the Dominican crisis became known, this anger and dismay abated somewhat. One student of Latin-American affairs has observed that "the general impression that the OAS acted as merely a reluctant and perhaps partially coerced rubber stamp of the United States is a serious oversimplification."<sup>1</sup> He points out that in the OAS, "there was a considerable amount of genuine support - usually more than a minimum of two-thirds - for a continuing inter-American role in the Dominican crisis."<sup>2</sup>

#### C. THE WORK OF THE SPECIAL COMMITTEE

While the 10th MFM was considering the establishment of an inter-American Force, the Special Committee continued its work in Santo Domingo. After days of hectic and difficult negotiations with the contending parties, members of the diplomatic corps, and other personages, the Special Committee finally evolved what was called the Act of Santo Domingo, which in reality was the work of the Papal Nuncio who had earlier worked out the details of the Act. On 5 May 1965 it was signed by the three members of the Military Junta, by the five members of the "Constitutional Government" (i.e. the rebels), and by the five members of the Special Committee.

<sup>1</sup> Jerome Slater, "The Limits of Legitimization in International Organizations: The Organization of American States and the Dominican Crisis," International Organization, Vol. XXIII (1969), Number 1, p. 54.

<sup>2</sup> Ibid.



Before the Act reached the point of signature, however, the Special Committee sounded out the American Ambassador on whether the U.S. military forces in the Dominican Republic could be given precise instructions for cooperating in carrying out the agreement. In the Committee's view the agreement could not be carried out without the essential cooperation of the United States.<sup>1</sup> On 7 May Secretary of State Rusk in a letter to the Chairman of the Special Committee stated that the United States would cooperate fully in the observance of the provisions of the Act of Santo Domingo.<sup>2</sup>

In the Act, the parties: (1) ratified the cease-fire agreement signed on 30 April; (2) accepted the establishment of a safety zone in the city of Santo Domingo; (3) bound themselves to respect the safety zone; (4) agreed to give all necessary facilities to the International Red Cross or to the international agency the OAS might designate to carry out the distribution of food, medicine, and medical and hospital equipment; (5) undertook to provide all necessary safety measures for the evacuation of asylees in foreign embassies; (6) agreed to respect the diplomatic missions and to offer all cooperation necessary to guarantee the safety of all personnel of those missions and of asylees or refugees therein; and (7) accepted and recognized the full competence of the Special Committee of the 10th MFM for purposes of the faithful observance of the stipulations in the Act of Santo Domingo.

Upon its return from Santo Domingo to Washington, the Special Committee met with the 10th MFM. During the discussions<sup>3</sup> on 7 and 8 May which followed the presentation of its report, the members of the Special Committee revealed considerably more information than was contained in its report.

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<sup>1</sup> The Special Committee's memorandum of 3 May, handed to the American Ambassador, containing the important clauses of the agreement is to be found in Doc. 47, Rev. 2 June 1965.

<sup>2</sup> See, ibid., for the text of the Secretary of State's letter.

<sup>3</sup> The discussions are drawn from the Actas Y Documentas, Volumen II, Actas de las Sesiones Plenarias, Union Pan-americana, 1968. OEA Documentos Oficiales. OEA/Ser.F/111.10, pp. 51-83.

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The Mexican Ambassador at the OAS meeting asked the Special Committee if it had any evidence of Communist infiltration in the rebel group headed by Col. Caamaño. The Colombian representative on the Special Committee replied that it was the general consensus of the diplomatic community in Santo Domingo that certain leftist groups with Castroite tendencies had infiltrated the rebel forces. None of the members of the Special Committee, it was pointed out, believed that Col. Caamaño himself had Communist ties. The Argentine member of the Committee stated that Col. Caamaño had personally acknowledged to him the presence of Communists in his movement, but asserted his ability to control their infiltration. He had said that the Communists were "not going to take the movement by surprise" and that his preoccupation was that "in having lost the possibility of control, they have remained behind the snipers; today they are among those who do not want a Dominican solution." Another Committee member, Brazilian Ambassador, Ilmar Penna Marinho, described the collapse of all authority and emphasized the danger this presented for the eventual seizure of control by the Communists "who could easily transform a popular movement into a Marxist-Leninist government."

To the question raised by the Ecuadorian Ambassador, Rodrigo Jacome, whether the parties in the conflict were inclined to proceed from a shaky truce to a lasting peace, the Argentine representative on the Committee stated that on both sides "we saw a desire equal to our own desire for securing peace." Both Colonels Caamaño and Benoit had told the Special Committee that they looked to the OAS for help in finding a solution. In addition, Col. Caamaño had informed the Special Committee that "in no way" would he accept "the arbitration of the United Nations" and that "it was within the Inter-American system that a solution had to be looked for."

The Uruguayan Ambassador, Emilio N. Oribe, who had opposed the resolution of 6 May, asked the committee members whether the situation in the Dominican Republic was one in which the peace and security of the hemisphere were endangered. This question was, in his view, most important in determining the jurisdiction of the OAS in any intervention, especially in the light of the various articles in the OAS Charter which prescribe the conditions under which collective action may be taken. The answers by the members of the Special Committee were clearly in the affirmative.



The Colombian member of the Special Committee drew a distinction between the many revolts and struggles for power common to Latin America and the nature of the revolution taking place in the Dominican Republic. He stated that, unlike the frequently violent struggles for power that have taken place in many other Latin-American countries, there was in the Dominican Republic a total and complete breakdown of authority with no side capable of control. The Guatemalan member of the Special Committee likewise emphasized the "state of anarchy" that reigned in the Dominican Republic and stated that "the chaotic situation places in danger the peace and security of the continent." Each of the members of the Special Committee urged the 10th MFM to take an active role in helping the Dominicans find a solution to their struggle.

In its report to the 10th MFM, the Special Committee described the many difficulties it faced in carrying out its task to achieve a climate of peace and normality that would permit of a solution of the crisis. It indicated that it had achieved the basic objectives of the mandate given it in the resolution of 1 May, which were to "negotiate a cease-fire, see to the orderly evacuation of the asylees in the embassies and of all foreigners wishing to leave the Dominican Republic, and to provide food, medicine and medical equipment necessary to mitigate the sufferings of the Dominican people...."<sup>1</sup>

Asserting that its mandate had been fulfilled, it recommended that as an immediate measure, a representative of the 10th MFM be appointed to take on the task of restoring peace and normal conditions that would make it possible to establish the basis for the functioning of democratic institutions in the Dominican Republic.

#### D. THE SECRETARY-GENERAL AND THE AD HOC COMMITTEE

The 10th MFM by its resolution of 20 May entrusted this difficult task to the Secretary-General of the Organization of American States. The selection of the Secretary-General,

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<sup>1</sup> Second Report of the Special Committee of the 10th MFM, Doc. 81, 2 June 1965, p. 13.

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it was believed, was but a stopgap until agreement on a new instrumentality and its composition could be reached. Nevertheless, the significance in giving the Secretary-General this political task, whatever the motives were of the 10th MFM, lies in the fact that this event marked the first occasion when the office was entrusted with a major political mission.

But the Secretary-General was no more successful in achieving a climate of peace and normality than was the Special Committee. "His ultimate failure," writes Slater, "then, as had been the case of the Special Committee, reflected the fact that none of the major actors in the situation--the United States, the Dominican Military, and the constitutionalists--were ready for a settlement."<sup>1</sup>

On 2 June 1965 the 10th MFM created the Ad Hoc Committee. Its mission was similar to that entrusted to the Special Committee and subsequently to the Secretary-General. The new and significant element in this group, however, was the presence of the United States in the person of Ambassador Ellsworth Bunker, with Ambassador Ilmar Penna Marinho of Brazil and Ambassador Ramón de Clairmont Dueñas of El Salvador as his two colleagues.

Notwithstanding the various appeals of the OAS for a strict cease-fire in accordance with the Act of Santo Domingo of 5 May, sporadic shooting in varying degrees of intensity continued over the ensuing months. With the presence of the Inter-American force and the efforts of the Ad Hoc Committee, especially Ambassador Bunker, a resolution of the conflict was finally effected.<sup>2</sup>

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<sup>1</sup> Slater, op. cit., p. 60.

<sup>2</sup> See Chapter VII.

IV

THE ORGANIZATION AND SUPPORT OF THE  
INTER-AMERICAN PEACE FORCE (IAPP)

The IAPP was the first peacekeeping force in the experience of the OAS. Improvisation was inevitable in the drama which unfolded, as the Johnson Administration, after its unilateral military intervention, sought to legitimize its action by involving the Latin Americans in a multinational peacekeeping force and in negotiations of a political settlement of the Dominican crisis.<sup>1</sup>

The mission of the Force, to quote the language of paragraph 2 of the 6 May resolution of the 10th MPM, "will have as its sole purpose, in a spirit of democratic impartiality, that of cooperating in the restoration of normal conditions in the Dominican Republic, in maintaining the security of the inhabitants and for inviolability of human rights, and in the establishment of an atmosphere of peace and conciliation that will permit the functioning of democratic institutions."

From the viewpoint of a soldier who prefers direct, clear, and precise orders, the language of paragraph was general, rhetorical and high minded. It was not language calculated to give the Commander of the Force the kind of guidance a military man needs to carry out his mission. Yet its very generality of language provided him with the flexibility which the situation in the Dominican Republic required.

Assuming, however, that the phrases "democratic impartiality" and "permit the functioning of democratic institutions" in the resolution are broadly interpreted in Western terms, the aim of the 10th MPM would appear to have been not only a significant step in the legitimization of the military intervention of the United States but also a mandate to the Force to prevent a "communist take-over."

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<sup>1</sup> For a detailed account on this point see Slater, op. cit., pp. 56-63.

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With the adoption of the 6 May resolution, the OAS sent out appeals to member governments of the OAS for troop contributions. This appeal was energetically supported by the United States diplomatic missions in Latin America.

Only six governments including the United States responded by making troop contributions, as will be seen from the table on page 277, *infra*. Although the representatives of El Salvador, Panama, Argentina, Dominican Republic, Haiti, Bolivia and Colombia voted for the resolution, those countries did not, for one reason or another, participate in the IAPP. Those who voted against, or abstained on the 6 May resolution, and were among the countries which were capable of making a troop contribution, did not do so. Among them were Mexico, Peru, Uruguay, Chile, with Venezuela abstaining. Many of the members of the OAS, however, voting for or against the resolution, did contribute food and medicine in substantial quantities, along with trained medical personnel and medical supplies.

On 22 May 1965, the 10th MFM asked the Brazilian government to designate the Commander of the Force and the United States to designate the Deputy Commander. Pursuant to this request, General Hugo Panasco Alvim, Army of Brazil, became Commander of the Force, and Lt. Gen. Bruce Palmer, Jr., United States Army, Deputy Commander.

At the same time the 10th MFM created a committee composed of representatives of those countries which were supplying contingents to the Force "to study the functioning and maintenance" of the Force. This group was supposed to be a "Watch Dog" Committee and submitted its reports to the 10th MFM. In its first report, the Committee proposed a change in the name of the Force from "Inter-American Force" to "the Inter-American Peace Force" and further suggested the need for a flag which would adequately identify the troops constituting the Force.<sup>1</sup> The 10th MFM accepted the proposal to change the name of the Force, but turned down the suggestion for a flag.

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<sup>1</sup> The "Watch-Dog" Committee also accepted the offer of the Inter-American Defense Board (Doc. 94, 21 May 1965) to provide technical or military advice, and in response to that offer, the Secretary-General requested and the Board designated Col. Brigadier General Telmo O. Vargas of Ecuador, one of the Board's members, as his Military Adviser.

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As pointed out in the preceding chapter, with the demise of the Special Committee, the Secretary-General temporarily took over its functions. But the 10th MFM retained control of the mission and the objectives of the IAPF. Thus, the Commander was answerable to the "Watch Dog" Committee on the functioning of the Force and looked for political guidance to the Secretary-General and later the Ad Hoc Committee, as the representatives of the 10th MFM.

The technical measures necessary to establish a Unified Command of the OAS (paragraph 3 of the resolution of 6 May) were developed and agreed to by the Commanders of the contingents in cooperation with the Secretary-General who was entrusted with this mission.

Not until 23 May 1965, a month after the uprising, was the IAPF formally constituted by a document signed in Santo Domingo by the Secretary-General and the Commanders of the national contingents and described as an Act Establishing an Inter-American Force.<sup>1</sup>

Putting the Force together was not militarily difficult. With the presence of the United States forces already on the ground, it assured the uncontested landing of other contingents and organizing them in the area of deployment. All the Latin-American forces together constituted but a very small fraction compared to that of the United States force. The significant thing, however, was the multinational symbol.

### A. THE ACT ESTABLISHING THE IAPF

Some of the important provisions of the Act are worth noting. The Commander of the Force was given operational control over all its contingents and made responsible for the performance of all functions assigned to the Force by the OAS as well as for the deployment and assignments of its units.

Members of the Force were to remain in their respective national services; but during the period of assignment to the Force, they would serve under the authority of the OAS

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<sup>1</sup> The full text of the Act is to be found in Annex E.

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and subject to the instructions of the Force Commander through the chain of command. However, command of national contingents, but not operational control, remained vested in the commanders of the respective national contingents.

The Force Commander was required to keep the 10th MFM currently informed of the activities of the Force, and receive from it general political guidance. The regulations issued by him were binding upon all members of the Force.

The Headquarters staff was to include representatives of each member state contributing forces. Positions on the staff were to be assigned by the Force Commander with due regard for appropriate representation of the national units making up the Force. The Headquarters strength was later fixed as follows:

	<u>Officers</u>	<u>W/O</u>	<u>Enlisted</u>	<u>Total</u>
U.S. (All Army)	24	1	47	72
Latin America	<u>24</u>	<u>0</u>	<u>49</u>	<u>73</u>
	48	1	96	145

A member of the staff was to be appointed by the Force Commander as full-time liaison officer with the authorized representative or committee of the 10th MFM.

The contingents comprising the Force came from the following countries: Brazil supplied an army battalion and a Marine company; Honduras, Nicaragua and Paraguay each sent an army rifle company; Costa Rica, not having an armed force, sent a platoon of Civil Guardia which functioned as MP's; and the United States committed all its forces in the Dominican Republic which came to approximately 21,500 as of 22 May 1965.<sup>1</sup> No United States naval forces were committed to the IAPF.

The Latin-American contingents were in due course organized into a brigade and were initially deployed along the eastern sector of the ISZ.

<sup>1</sup> Following the stabilization of the situation and the organization of the IAPF, an immediate reduction of U.S. forces began. See Annex F.

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Upon the organization of the IAPF Headquarters,<sup>1</sup> General Palmer acted as its first Commander until the arrival of General Hugo Panasco Alvim, of the Brazilian Army, who took over the command on 31 May 1965. General Palmer then reverted to his assignment as Deputy Commander of the IAPF, but retained command of the United States contingent at the same time.

The approximate strength of the IAPF by 30 June 1965 is depicted in the following table:

<u>Nation</u>	<u>Officers</u>	<u>Enlisted Personnel</u>	<u>Total Officers and Enlisted Personnel</u>
Brazil	145	1,007	1,152
Costa Rica	3	18	21
El Salvador	3	-	3
Honduras	10	240	250
Nicaragua	6	153	159
Paraguay	8	170	178
United States	-	-	11,935 <sup>2/</sup>
GRAND TOTAL	175	1,588	13,698

The Jaragua Hotel Annex in Santo Domingo was leased by the OAS to provide offices and living quarters for IAPF Headquarters Staff. The maintenance cost of the Headquarters is set out in Annex K and was met by voluntary contributions. There were but two contributors, Brazil and the United States. The former contributed \$35,000 and the latter \$574,511.15. The total cost was \$609,511.15, of which the United States bore 94.25% and Brazil 5.74%.

## B. THE REGULATIONS OF THE FORCE OF 29 JUNE 1965<sup>3</sup>

The regulations of the Force were issued by the Commander in accordance with the Act establishing the Force on 23 May 1965. This Act in turn derived its authority from the basic

<sup>1</sup> See Annex G on the organization of IAPF Headquarters.

<sup>2</sup> From 22 May 1965 to 30 June 1965, the U.S. contingent strength was reduced by approximately one half and withdrawn from the Dominican Republic. See Annex F.

<sup>3</sup> See Annex H for the text of the Regulations.



resolution adopted by the 10th MFM on 6 May 1965. Notwithstanding that the 10th MFM was the source of authority for the Regulations, the power lodged in the Commander by these Regulations was considerable.

Unlike the commander of a United Nations peacekeeping operation where the Secretary-General chooses the commander and provides him with the force regulations and can alone amend them, the Commander of the IAPF issued the regulations and could amend them himself.

The financial procedures necessary for the proper administration and operation of the Force and other fiscal matters were to be determined by the Commander in consultation with the 10th MFM or its duly authorized representative. Moreover, the regulations gave him the power to make arrangements for the provision of facilities, supplies and auxiliary services in consultation with the representative of the 10th MFM.

In comparing the creation and organization of a United Nations peacekeeping operation with that of the OAS, it is desirable to point out some rather basic differences. Unlike the United Nations peacekeeping operations where the Secretary-General requests certain member states to contribute forces and agrees with each of them supplying a contingent on a variety of matters, including the costs to be borne by the United Nations and those to be borne by the contingent government, there appears to have been no such comparable agreement between the Secretary-General of the OAS and each of the governments supplying a contingent.

Nor was there any status of forces agreement between the Secretary-General of the OAS and the Dominican government comparable to the status of forces agreements which the United Nations' Secretary-General negotiated with the host country on each of the peacekeeping operations undertaken by the World Organization. Since there was no Dominican government with which to negotiate such an agreement when the IAPF was organized, none obviously was possible. Neither of the contending parties, one calling itself The Military Junta of Government, subsequently changed to The "National Government of Reconstruction," and the other "The

Constitutional Government,"<sup>1</sup> it should be noted, received diplomatic recognition by any government. But the Provisional Government which came into office on 3 September 1965 and was given wide diplomatic recognition, did have the competence to conclude a status of forces agreement, but none was negotiated because of the President's other and more pressing problems.

The relationship between the Secretary-General of the United Nations and the force commander is comparable to that of a commander-in-chief and the commanding general in the field. It is the United Nations' Secretary-General who chooses the force commander and provides him with the rules and regulations governing the force. In sum, the United Nations' Secretary-General, through the three interrelated instruments, i.e. the status of forces agreement, the agreements with the governments supplying contingents and the rules and regulations governing the force, is the central and controlling operating authority in the peacekeeping mission.

The Secretary-General of the OAS was given no such power over the IAPF as we have already noted. It was the 10th MFM which recommended that the members of the OAS supply forces, with Brazil to provide the Commander, and the United States the Deputy Commander, of the IAPF. It requested the Commanders of the contingents to work out directly and with a committee of the 10th MFM the technical "measures necessary to establish a Unified Command of the Organization of American States for the coordinated and effective action of the Inter-American Force." It created the "Watch-Dog" Committee comprised of representatives of

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<sup>1</sup> "The National Government of Reconstruction" was composed of the "loyalists," with General Antonio Imbert Barrera as its "President." This group was referred to from time to time as the "Reconstructionists." "The Constitutional Government" was composed of rebel leaders, with Col. Francisco Caamaño Deñó as its "President." This group was referred to from time to time as the "Constitutionalists."

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the states providing forces, made clear that the IAPF would operate under its authority, and would determine when it would be withdrawn from the Dominican Republic.<sup>1</sup>

This brief comparison of the roles of the two Secretary-Generals points up the weakness of the office of the OAS Secretary-General. That office is essentially an administrative one, and while the United States has sought to strengthen it, the Latin-American countries have resisted. Protecting their sovereignty, and keenly aware of the United States as the most powerful member in their midst, the Latin-American countries which have by and large determined the structure and procedures of the OAS, are not likely to strengthen in any considerable degree the office of its Secretary-General in the foreseeable future, except perhaps in critical situations such as the Dominican crisis, which was of a temporary character.

### C. LOGISTIC SUPPORT TO THE IAPF

As mentioned earlier, upon the adoption of the resolution by the 10th MFM on 6 May, Ambassador Bunker stated that the United States was ready to provide logistical and other support as may be desired to those governments which provide contingents. He did not indicate whether this support was to be provided on a reimbursable or some other basis.

By the time the IAPF was constituted and organized in May 1965, the United States forces in the Dominican Republic, totaling over 22,000 men in the objective area, had a going logistical concern in the 5th Logistic Command which comprised 2,345 men.<sup>2</sup> As the size of the United States force was reduced, the manpower involved in providing logistic support was also reduced.

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<sup>1</sup> See Note-2 in the Appendix for a more detailed comparison of the structure and organization of the IAPF and that of a United Nations peacekeeping operation such as UNFICYP.

<sup>2</sup> See Annex I for the Organization Chart of Logistical Support to the IAPF.

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1. The Airlift. Air lifting the troops and equipment of the participating Latin-American contingents to and from the Dominican Republic, including rotation of the men, was accomplished by the United States Air Force and, in part, by the Brazilian and Honduran Air Forces, with Brazil providing a substantial part of its own airlift.

The cost of airlifting the Latin-American contingents and their equipment to and from the Dominican Republic along with the rotation of their troops during the life of the IAPF totaled approximately \$745,698.

2. The Sealift. Elements of the Nicaraguan and Honduran contingents with 244,000 lbs. of their equipment were deployed by a United States Navy ship to their respective countries. The cost of this deployment including subsistence came to approximately \$4,000.

The total air and sea lifts came to \$749,698.<sup>1</sup>

3. Supplies and Services. The United States forces supplied virtually the entire support to the IAPF. Almost all the supplies were brought in directly from the United States, with such exceptions as bananas, asphalt, and special foods requested by national contingents. Requisitions for supplies were submitted to the Supplies and Maintenance Control, Logistic Command, at New Orleans. The Control Center, through the use of automatic processing and electronic equipment, channeled the requisitions to the appropriate inventory centers to furnish the supplies. Non-perishable items came from warehouses situated throughout the United States, while perishable commodities were procured in New Orleans. Some items were procured or produced in the Dominican Republic. The United States 5th Logistic Command, for example, operated a bakery in the Dominican Republic capable of producing 20,000 loaves of bread a day.

The maintenance units of the United States Army furnished all direct support and also limited general support for all of the IAPF equipment.

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<sup>1</sup> The figures were supplied by OASD/ISA.

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The variety of services furnished the IAPF included: bathing facilities, laundry, mortuary, post exchange, repair of footwear and clothing, water supply, plumbing, electricity, carpentry, and use of heavy engineering equipment. In addition the United States Army maintained a field hospital for the personnel of the IAPF and provided them with complete medical service.

The United States support to each of the Latin-American contingents of the IAPF in dollar cost was as follows:<sup>1</sup>

Brazil	\$ 902,682.19
Costa Rica	15,798.89
Honduras	269,500.03
Nicaragua	186,170.32
Paraguay	196,334.92
Headquarters	374,490.15
Total	\$1,944,976.50

To this figure should be added the voluntary contribution in the amount of \$574,511.15 made to the OAS to provide offices and living quarters for IAPF Headquarters,<sup>2</sup> along with the air and sea lifts costs of \$749,698.00, making a total of \$3,269,185.65.

4. Out-of-Pocket Costs. These costs relate to the outlay for the United States military forces which amounted to \$35,000,000<sup>3</sup> over and above normal expenditures.

Recapitulating the dollar costs of the United States military operation in the Dominican Republic, we have the following:

Logistic support including the air and sea lifts	\$ 3,269,185.65
Costs over and above normal expenditures of the United States military force	35,000,000.00
Grand Total	\$38,269,185.65

<sup>1</sup> See Annex J for the classes and cost of support provided.

<sup>2</sup> See Annex K for the cost of IAPF Headquarters.

<sup>3</sup> This figure was supplied by OASD/Comptroller.

D. EFFORT TO REACH LOGISTIC SUPPORT UNDERSTANDING

The logical person to have taken the lead in negotiating an understanding of the cost problems of logistical support was obviously the Secretary-General of the OAS. But since he was not given that responsibility by the 10th MPM, the United States, which was already supplying nearly the entire support, took the lead in trying to sort out the logistical cost responsibilities of the contingent countries participating in the IAPF.

In its draft agreement it proposed that each participating state be responsible for support of its troops with regard to the following items:

- (a) pay and allowance;
- (b) out-of-country allowance, where applicable;
- (c) individual equipment including clothing, utensils, tools and weapons; (except as noted in the next paragraph);
- (d) unit equipment, including weapons, tools and internal communications;
- (e) special rations, if required; and
- (f) service-incurred death, injury or illness benefits or compensation (except medical care in the Dominican Republic).

The United States further proposed that its Commander would provide on an interim basis logistic support as might be required by national contingents and the Unified Command to enable the IAPF to carry out its mission. This was to include internal communications, transportation and logistic support directly associated with daily operations such as rations, ammunition, operation and maintenance, along with such additional items of clothing and individual equipment as the Force Commander deems necessary for the efficient operation and good appearance of his forces.<sup>1</sup>

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<sup>1</sup> Some of the contingents on arrival in Santo Domingo were so poorly clad and shod that the U.S. Army officials reclothed them from head to foot. Much of their equipment was obsolete. The U.S. Army found it necessary to re-equip some of the Latin-American units completely in order for them to carry out their mission effectively.

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A complete record of the costs incurred by the United States government on behalf of other national contingents and the Unified Command was to be kept and submitted by the United States contingent Commander to the IAPF Commander and the Secretary-General of the OAS with a view to negotiations at an appropriate future time on ultimate apportionment of the costs of maintaining the IAPF.

The draft agreement was to be signed by the Commander of the IAPF, the contingent Commanders and the Secretary-General of the OAS. But as of this writing no agreement has yet been signed, and it is doubtful whether it ever will be.

## V

### EMERGENCY AID AND ECONOMIC RECOVERY ASSISTANCE

With Santo Domingo the financial, commercial, and economic center of the country, it was not long after the outbreak of the rebellion in the capital city before the nation was gripped by economic paralysis.

The Special Committee of the 10th MFM reported that it was deeply moved and saddened at the sight of Santo Domingo on a war footing. All businesses and stores were closed, including those selling foods of prime necessity. Banks, government offices, and the city's normal activity had come to a halt. Public services were nonexistent, including the most essential ones of water, garbage disposal, electricity, and telephones. "The atmosphere," the Special Committee reported, "was one of tragedy, mourning, and real human anguish. Rumors and other unverifiable reports were circulated regarding bloody incidents in various parts of the city."

#### A. THE EMERGENCY RELIEF PROGRAM

The 10th MFM appealed to all member states to place at the disposal of the General Secretariat of the OAS trained medical personnel, food, medicines and medical supplies to be sent to the Dominican Republic.

To administer this relief program, both money and staff were necessary. This the Secretary-General drew to the



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attention of the Council of the OAS (COAS) which in turn directed him to draw up a plan for the establishment of a Special Fund to administer the program of emergency relief.

On 8 May 1965, the Secretary-General established a coordinating committee of the OAS Relief Operation, composed of the Office of the Secretary of State for Public Health of the Dominican Republic, the Pan American Sanitary Bureau, the U.S. Agency for International Development, Caritas, Care, the International Red Cross, the Dominican Red Cross, the Church World Services, and staff members of the OAS. "This coordinating committee," quoting the Secretary-General, "was installed in the Pan American Union offices in Santo Domingo and operated there the entire time."<sup>1</sup>

The COAS established a Special Fund of up to \$197,000 to defray the administrative expenses required in this emergency aid operation. In collaboration with the various agencies mentioned above, the OAS Relief Operations Center, as it was called, distributed several thousands of tons of food and a large quantity of medicine and medical supplies.<sup>2</sup>

### B. FINANCING OF EMERGENCY ECONOMIC RECOVERY PROGRAMS

The emergency economic recovery programs for the Dominican Republic were financed by the OAS with a series of grants to it from the United States Agency for International Development, (AID) totaling \$57,000,000. These programs were principally in the public sector of the economy. A brief description of some of these programs will suffice to give an appreciation of how the grant assistance was spent.<sup>3</sup> While it is not necessary to describe in detail how these grant funds were controlled, it is sufficient to indicate

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<sup>1</sup> Report of the Secretary-General of the Organization of American States Regarding the Dominican Situation. Activities from 29 April 1965, until the installation of the Provisional Government. Doc. 405, 1 November 1965, p. 6.

<sup>2</sup> Cf. The OAS Chronicle, Vol. 1 (August 1965), No. 1, p. 5.

<sup>3</sup> See Annex L for the amounts spent in the various sectors.

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that the Ad Hoc Committee, established by the 10th MFM, composed of Ambassadors Ilman Penna Marinho of Brazil, Ramon de Clairmont Dueñas of El Salvador, and Ellsworth Bunker of the United States had to approve the transfer and disbursement of these funds. Ambassador Bunker was, needless to say, the dominant member of this Committee.<sup>1</sup>

Public Payrolls. Public employees, including the military, municipal and school employees were paid their salaries for part of the time. The Secretary-General observed that the emergency situation, the condition of available records, and the inability of some public employees to claim their payments, made it difficult to administer this program.<sup>2</sup> With the country in turmoil the administration of this program was not as efficient as it might have been with the country at peace. Yet the Secretary-General felt that it helped the economy and relieved many Dominicans of their plight.

Assistance to the Sugar Corporation. With sugar the key element in the economy and the need to prevent a crisis in the sugar mills and cane fields, the Corporacion Azucarera Dominicana was provided with funds for payrolls and repair parts for the mills. While initially the funds made available to the Corporation were in the form of grants, additional financial assistance was later made as loans.

Assistance to the Dominican Electric Corporation. This vitally important industry was likewise assisted with a loan to meet its payroll. Because of the abnormal situation in the country, the inspectors working for the Corporation were unable to get around to read the meters of its customers, to issue receipts, or make collections.

Tobacco Loans. Arrangements were worked out to provide loans to tobacco merchants for the purchase of the 1965 crop. Advances were made to the Agricultural Bank of the Dominican Republic, and the Dominican Peoples Bank to make the loans to the merchants for tobacco purchases.

<sup>1</sup> The negotiations of the Ad Hoc Committee in resolving the crisis is discussed in Section VII, infra.

<sup>2</sup> Doc. 405, 1 November 1965, op. cit., p. 64.

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Assistance to Hospitals. AID grant funds were made available to finance the costs of medicines, foods, medical supplies and essential maintenance in the hospitals to assure that health and medical services were available. The Pan American Health Organization administered the funds provided.

Special Projects Administered by AID. There were a number of projects, chiefly of a public works nature which AID had the technical resources and competence to administer. For these special projects OAS transferred funds to AID which the latter had granted to it. AID reported to OAS periodically and agreed to return any unused funds to it for further economic recovery programs. Any unused funds for the economic recovery programs were ultimately to be returned to AID.

C. SUMMARY OF UNITED STATES ASSISTANCE (AID AND PL. 480)  
FOR PERIOD 24 APRIL 1965 TO 30 JUNE 1966

Supporting Assistance Grants. For the period in question, this assistance amounted to \$85,700,000. Of this amount, \$57,000,000 was administered through the OAS and \$28,700,000 by AID.

Payment of salaries and operating expenses of the Central Government and autonomous agencies amounted to \$56,500,000.

Emergency relief and employment - generating activities amounted to \$28,300,000.

Project assistance - \$300,000 for public safety commodities and \$600,000 for an American Institute for Labor Development housing project came to \$900,000.

Supporting Assistance Loans. Generally these loans provided for repayment in 40 years, with a 10-year grace period at 1% and thereafter 2½%, amounted to \$25,000,000.

Under this heading there were two loans. One in May 1966 in the amount of \$10,000,000 to assist the Provisional Government to meet its operating budget deficit and to finance investment activities in its budget, and the second in June 1966 in the sum of \$15,000,000 as the first part of

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a \$40,000,000 package. These funds were used during FY-1967 to finance investment activities in the budget of the Balaguer government which took office in July 1966.

Development Loans. These loans came to \$14,500,000. Of this amount \$5,000,000 went to the National Housing Bank, and \$9,500,000 was for Agricultural Credit.

Technical Cooperation Grants. This type of assistance came to \$7,200,000.

Food for Peace Grants. This type of assistance totaled \$8,900,000, broken down as follows:

Title II - \$3,500,000 - emergency feeding during May-August, 1965; and

Title III - \$5,400,000 - food distributed during FY-1966 through CARE, CWS and CRS for school and family feeding.

The grand total of United States assistance to the Dominican Republic for the period indicated was \$141,300,000.<sup>1</sup>

D. TOTAL ASSISTANCE BY UNITED STATES (AID AND PL. 480) FROM APRIL 1965 TO DECEMBER 1968

Economic assistance, however, was continued by the United States beyond June 1966. Hence if we add to the \$141,300,000 the economic assistance provided the Dominican Republic by AID and Food for Peace from 1 July 1966 to 31 December 1968 in the amount of \$128,700,000, the grand total comes to \$270,000,000.<sup>2</sup> Of this grand total, \$114,900,000 was in the form of grants and \$155,100,000 in loans.

The \$270,000,000, needless to say, does not include the cost of the United States Force itself, nor the logistic support cost given by it to the IAPP. The combined costs are set forth in the section that follows.

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<sup>1</sup> See Annex M.

<sup>2</sup> Figures were supplied by AID.

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E. MILITARY AND ECONOMIC ASSISTANCE COSTS

The recapitulation of the military and economic assistance costs, broken down as follows, were:

A. United States Economic Assistance	\$270,000,000	
1. Grants		\$114,900,000
2. Loans		155,100,000
B. United States Military Costs	38,269,185	
1. Military "out-of-pocket costs"		35,000,000
2. Logistic support to Latin-American contingents of the IAPF		3,269,185
TOTAL UNITED STATES MILITARY AND ECONOMIC ASSISTANCE COSTS \$308,269,185		

VI

THE UNITED NATIONS ROLE

A. DEBATE IN THE SECURITY COUNCIL

While the OAS was engaged in efforts to resolve the Dominican crisis, the Security Council of the United Nations became involved in the situation. On 1 May the representative of the USSR requested an urgent meeting of the Security Council to consider the question of armed intervention of the United States in the internal affairs of the Dominican Republic.

At the 3 May meeting, the Soviet representative called for a condemnation of the United States for its armed intervention in the internal affairs of the Dominican Republic as a flagrant violation of the United Nations Charter, as well

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as the Charter of the OAS, and demanded the immediate withdrawal of American troops from the territory of the Dominican Republic.

The United States representative, Ambassador Stevenson, set forth in detail the reasons for the dispatch of American troops on 28 April in response to a request for assistance from the Dominican authorities who were faced with the collapse of law and order in the country. He stated that the size of the American force was increased when it became apparent that a small group of well-known communists had tried to seize control of the revolution.<sup>2</sup> The American nations, he went on to say, would not permit the establishment of another communist government in the Western hemisphere, and quoted the unanimous view of the American nations gathered at Punta del Este in January 1962 that "The principles of communism are incompatible with the principles of the inter-American system."<sup>3</sup>

While the United States welcomed discussion of the Dominican crisis in the Security Council, Ambassador Stevenson felt that the crisis, regional in character, should, under Article 33 of the United Nations Charter, be dealt with by the OAS.

The Cuban representative who, at his request was invited to take a seat at the Council table, in a lengthy statement shared the USSR's view that the Security Council should condemn the United States military invasion and

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<sup>1</sup> See the USSR draft resolution, S/6328, 4 May 1965 and the initial statement of its representative in SCOR, 20th Year, 1196th Mtg., 3 May 1965, pp. 2-11. Hereinafter Security Council debates will be cited by meeting number and date.

<sup>2</sup> The statement of Ambassador Stevenson is contained in 1196th Mtg., 3 May 1965, pp. 11-19.

<sup>3</sup> See Resolution VI, adopted unanimously by the Eighth Meeting of Consultation, held at Punta del Este, Uruguay, from 22 to 31 January 1962, in The Inter-American System: Its Development and Strengthening. The Inter-American Institute of International Legal Studies (Dobbs Ferry, New York: Oceana Publications, Inc., 1966), pp. 159-161.

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occupation of the Dominican Republic as contrary to international law and in flagrant violation of the sovereignty of an independent state.<sup>1</sup> He accused the OAS of lending itself to a maneuver legalizing the intervention by nominating a commission to investigate what all the world knew and to turn the United States unilateral action into a multilateral one.

The Uruguayan representative said that his country was opposed in the OAS to the United States' request for a Meeting of Consultation of Ministers of Foreign Affairs because:

My country opposed the request to convene the Meeting of Consultation, on the ground that the regional organization was not authorized to take action in respect of the civil conflict taking place in the Dominican Republic, since it was a matter that came exclusively within the domestic jurisdiction of that State. The information available at the time gave no reason to consider the situation capable of threatening the peace or security of other States in the continent. Nevertheless, the United States forces having already landed, Uruguay announced, through its representative in the OAS, the displeasure of the Uruguayan Government, based on the traditional and unalterable principles of its foreign policy, at any intervention of the kind that had taken place....

When the meeting /10th MFM/ was convened, Uruguay...again repudiated the act of intervention carried out in contravention of articles 15 and 17 of the OAS charter.<sup>2</sup>

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<sup>1</sup> Mention should be made of the hearings afforded by the Security Council to the two contending factions in the Dominican Republic, represented by Rubin Brache and Guaroa Velásquez. The former represented the Constitutional Government (the rebels), and the latter the Government of National Reconstruction (the loyalists).

<sup>2</sup> 1198th Mtg. 4 May 1965, pp. 2-3.



The Uruguayan representative went on to say:

The American States agreed that the only situation in which the principle of non-intervention might not be rigidly applied--and hence this is an exceptional rule which must accordingly be subject to restrictive interpretation--relates to measures which, again, are adopted in accordance with existing treaties, that is, which are adopted multilaterally through the Organ of Consultation convened previously and in due form, and only in such cases as are stipulated in article 6 of the Treaty of Rio de Janeiro.<sup>1</sup>

The Uruguayan representative took issue with the interpretation President Johnson gave to the principles of the Inter-American system in his broadcast statement of 2 May to the nation:

This Johnson doctrine--as it is now being called--or if you prefer, this new corollary of the Monroe Doctrine, is not, as indeed President Monroe's doctrine was not, either a strictly legal doctrine or an American doctrine, if we use the word "American" in its original sense, that is applying to all the peoples of the Western hemisphere. It cannot be regarded as a legal doctrine, for the idea it embodies--that while revolutions are prima facie the internal affairs of countries and for them alone to deal with, they cease to be so and become matters calling for hemispheric action when their object is to establish a communist dictatorship--seems to go beyond the body of norms existing in the inter-American system and constitutes, in its spirit and letter, a notion which my delegation cannot regard as consistent with the principle of self-determination of peoples.<sup>2</sup>

On 6 May 1965, Ambassador Stevenson informed the Security Council that the 10th MFM of the OAS adopted a resolution which he read to that body. This was the resolution relating to the creation of an inter-American force that would operate under the authority of the 10th MFM.<sup>3</sup>

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<sup>1</sup> 1198th Mtg., op. cit., p. 4.

<sup>2</sup> Ibid., pp. 4-5.

<sup>3</sup> 1202nd Mtg., 6 May 1965, pp. 7-9.

The Soviet Union representative questioned the right of a regional body to take such decisions and adopt resolutions that "fall exclusively within the competence of the highest organ of the United Nations, the Security Council."<sup>1</sup> He asserted that Article 53 of the United Nations Charter "states clearly and unmistakably that no enforcement action may be taken without the authorization of the Security Council."<sup>2</sup>

With the continuing assertions by the Soviet representative that authorization from the Security Council for the IAPF created by the 10th Meeting of MFM was necessary, the United States representative sought to make clear that the establishment and functioning of the IAPF did not constitute enforcement action within the meaning of Article 53(1) of the United Nations Charter. To be sure, he asserted, such action remains the prerogative of the Security Council, but the IAPF action in the Dominican Republic was not enforcement action any more than the action taken by the United Nations in the form of peacekeeping in the Middle East, the Congo and Cyprus. The IAPF standing between the two armed factions, has brought about a cessation of organized hostilities. "If the OAS has acted against anything," Ambassador Stevenson said, "it has acted against civil disorder, political chaos, bloodshed and internecine war."<sup>3</sup>

It should be noted that the Soviet Union objected to the peacekeeping operation under the aegis of the OAS, as it had toward international peacekeeping operations by any other body than the Security Council, where it has a veto. As Ambassador Yost pointed out to the Security Council, "the Soviet Union is trying to establish a de facto situation where international peace-keeping operations can take place only at the pleasure of the Soviet Union. Having in mind the explosive and dangerous Soviet doctrine of so-called wars of liberation, we can imagine how many and what kind of peace-keeping operations would take place under these circumstances."<sup>4</sup>

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<sup>1</sup> 1202nd Mtg., op. cit., p. 10.

<sup>2</sup> Ibid., p. 11.

<sup>3</sup> 1222nd Mtg., 9 June 1965, p. 5.

<sup>4</sup> 1220th Mtg., 3 June 1965, p. 17.

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In the Security Council, the United States contended that regionally the OAS is essentially endowed with the same mission as the UN is on a global basis. Its mission is not competitive with the UN, but complementary to it.

#### B. RESOLUTIONS PRESENTED TO THE SECURITY COUNCIL

On 14 May 1965, the Security Council unanimously adopted the resolution (S/6355) submitted by Jordan, Malaysia and Ivory Coast, calling for a strict cease-fire, inviting the Secretary-General to send, as an urgent measure, a representative to the Dominican Republic for the purpose of reporting to the Security Council on the present situation, and calling upon all concerned in the Dominican Republic to cooperate with the representative of the Secretary-General in the carrying out of this task.

In the light of the urgency of the situation, the Secretary-General sent an advance party to the Dominican Republic under the leadership of his military adviser, Indian Major-General Indarjit Rikhye and subsequently appointed José A. Mayobre, Executive Secretary of the Economic Commission for Latin America, as his representative in the Dominican Republic. The latter kept the Secretary-General informed by frequent reports on the developments in the Dominican Republic, and the Secretary-General in turn informed the Security Council.

The Soviet draft resolution of 3 paragraphs called for a condemnation of the armed intervention of the United States in the internal affairs of the Dominican Republic as a gross violation of the United Nations Charter, and demanded the immediate withdrawal of its armed forces from that country. The draft resolution was rejected by a separate vote on each of the 3 paragraphs.<sup>1</sup>

The Uruguayan draft resolution as revised (S/6346/Rev.1) asked the Council to call for immediate compliance with the cease-fire unanimously adopted on 14 May,<sup>2</sup> and called on all states to refrain from giving direct or indirect assistance or military aid of any kind to either faction.

<sup>1</sup> 1214th Mtg., 21 May 1965, pp. 22-23.

<sup>2</sup> Ibid., pp. 10-12.

To the revised Uruguayan draft, the Soviet Union submitted a number of amendments which, if carried, would have condemned the armed intervention of the United States and called for an immediate withdrawal of its troops. Each of these amendments on a separate vote was rejected with Uruguay, among others, voting against them.<sup>1</sup>

The revised Uruguayan draft resolution was rejected. The vote was as follows: in favor were France, Ivory Coast, Jordan, Malaysia, Uruguay; against: the Soviet Union; abstaining: Bolivia, China, Netherlands, United Kingdom, United States. The abstention of the United States was based on the fact that the OAS was already dealing with the problem.

The explanations of the voting which followed the rejection of the Uruguayan resolution are worth summarizing. The Soviet Union, in explanation of its vote, reverted to "the need to take effective action against United States aggression." The amendments submitted by it resolutely condemned the crimes of the American interventionists and demanded the immediate withdrawal of the United States occupation troops from the territory of the Dominican Republic. "We also proposed that those provisions which could serve as a pretext for sanctioning ex post facto the unlawful activities of the Organization of American States should be deleted from the draft resolution."<sup>2</sup>

The Bolivian representative regretted abstaining and did so on the ground that "the Uruguayan draft resolution, in spite of its undeniable merits, does not explicitly mention the competence of the Organization of American States to deal with the Dominican situation or the effectiveness of its work and reduces it from its lofty position to the lowly status of a fact-finding mission invited merely to cooperate with other organizations."<sup>3</sup>

<sup>1</sup> 1216th Mtg., 22 May 1965, pp. 9-11.

<sup>2</sup> Ibid., pp. 14-15.

<sup>3</sup> Ibid., p. 16.

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Ambassador Stevenson said, more in the nature of exercising the right of reply than in explanation of the United States vote:

The fact that the Soviet Union felt it necessary to vote against the Uruguayan draft resolution because it even referred to the Organization of American States has clarified for all the basic and crucial constitutional issue that the Council has been facing. The Organization of American States is a regional organization of the United Nations which is specifically provided for in the Charter. This Council must not, I submit, by its action fail to recognize this relationship and permit the hostility of a single member of this Council to disturb this relationship or, because of its enmity towards the Organization of American States, to obstruct this Council in the taking of any appropriate action whatever in this grave emergency....<sup>1</sup>

The rejection of the Uruguayan resolution made it clear that the Security Council would not be able to come to an agreement upon a formula to deal with the substance of the matter. Accordingly, it seemed to the French representative, "for the moment and for the honor of the Security Council and the United Nations," that this debate should not be left without any action, even of a provisional nature. He therefore proposed the following draft resolution which he hoped all the members of the Council could approve:

The Security Council,  
Deeply concerned at the situation in the Dominican Republic,  
Recalling its resolution 203 (1965) of 14 May 1965,  
Requests that the suspension of hostilities in Santo Domingo be transformed into a permanent cease-fire.<sup>2</sup>

The French resolution was adopted on 22 May by 10 votes in favor, 0 against, and 1 abstention (United States). The abstention of the United States reflected its view that the French resolution was unnecessary since the OAS had already dealt with the matter.

<sup>1</sup> 1216th Mtg., op. cit., pp. 18-19.

<sup>2</sup> Ibid., p. 22.

The draft resolution of the United States, submitted on 21 May 1965 (S/6373), asked the Council to call "for observance of a strict cessation of hostilities;" urged "the Organization of American States to intensify its efforts to establish the basis for the functioning of democratic institutions in the Dominican Republic and in particular to assure observance of the cease-fire agreed upon in the Act of Santo Domingo;" and "requested the representative appointed by the Secretary-General, in carrying out the responsibilities assigned to him by the Security Council, to co-ordinate with the Secretary-General of the Organization of American States in light of the resolution adopted by the Organization of American States on 20 May 1965."

Since the points dealt with in the United States resolution - presented three days earlier - had been covered by the Security Council resolution (the French proposal) of 22 May and by two resolutions of the Organization of American States transmitted to the Security Council (reproduced as documents S/6372 and S/6374), the United States withdrew its draft.

In the ensuing meetings, following the action on the various resolutions before it, the Security Council, inter alia, returned to the constitutional issue relating to the establishment of the IAPF. No new light was shed on the issue, nor was any effort made to seek an advisory opinion of the International Court of Justice on the meaning of the phrase "enforcement action" in Article 53 of the Charter.<sup>1</sup>

<sup>1</sup> In March 1962, Cuba raised this constitutional question of "enforcement action" in the context of the Punta del Este resolutions adopted by the Meeting of Consultation of Ministers of Foreign Affairs of the American Republics in January 1962, which among other matters, excluded the Cuban regime from participation in the OAS and the suspension of trade in arms and its extension to other items. It contended that these measures constituted "enforcement action" taken without the approval of the Security Council in violation of Article 53 of the United Nations Charter and proposed that the Security Council request an advisory opinion from the International Court of Justice on the questions submitted by it. The proposal was rejected by the Security Council after a protracted debate.

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As to the scope of the mandate of the Secretary-General's representative in the Dominican Republic, the French, Jordanian and Uruguayan members of the Security Council desired to enlarge Mr. Mayobre's staff to enable him to supervise the cease-fire and to investigate complaints of violations of human rights. They were of the belief that his mandate was sufficiently broad to cover both tasks. The suggestion had the support of the Soviet representative.

To have injected Mr. Mayobre as the supervisor of the cease-fire and the investigator of complaints of violations of human rights, in an operation which was already delicate and fraught with great complexity, would have been highly inadvisable and a duplication of the machinery which already existed. Moreover, these additional functions, in view of the strained relationship which existed between Mr. Mayobre and his staff on the one hand and the OAS representatives in the Dominican Republic on the other hand, the former appearing to support the Constitutionalist and the latter pursuing a policy of reconciliation between the Constitutionalist and the National Reconstructionists, would have aggravated the situation.

Accordingly, the United States representative, along with the representatives of Bolivia, the Ivory Coast, Malaysia, and the United Kingdom, were averse to enlarging Mr. Mayobre's mandate. The United States representative also reminded the Security Council that the Inter-American Commission of Human Rights, which was already on the scene in Santo Domingo, was investigating violations of human rights. "It would give the contending factions a further opportunity to play off one international institution and its representatives against another, and in this way to delay rather than to accelerate a generally acceptable political settlement," said Ambassador Stevenson.<sup>1</sup>

The Secretary-General reminded the Security Council that Mr. Mayobre's mandate related to observing and reporting. Investigating functions would require a further directive from the Security Council, and a substantially larger staff and increased facilities, he averred. As if aware of the strained relations referred to above, but without specifically mentioning it, the Secretary-General

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<sup>1</sup> 1222nd Mtg., op. cit., p. 9.



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doubted whether such additional responsibility would receive the cooperation from the contending parties necessary to secure effective implementation by Mr. Mayobre.

Throughout the course of the Dominican crisis, the Organization of American States transmitted to the Security Council, pursuant to Article 54 of the United Nations Charter, information on the activities of the Organization of American States on the situation. The communications covered a variety of subjects including the maintenance of the cease-fire, violations of human rights, political negotiations for a settlement of the crisis, the installation and functioning of the Provisional Government and the general political and economic situation in the country.

In addition, Mr. Mayobre transmitted to the Secretary-General of the United Nations frequent reports on the situation in the Dominican Republic from the time he arrived in Santo Domingo on 17 May 1965 to the time his mission ended, after the withdrawal of the IAPF.

In his Introduction to the Annual Report of 16 June 1965-15 June 1966, with the election of a government on 1 June 1966 scheduled to take office 1 July, and the impending withdrawal of the IAPF, the Secretary-General wrote that the UN Mission would be terminated in the near future. He referred to the unique aspect of the Mission in the following language: "...for the first time in the United Nations peace-keeping experience, one of its missions has found itself in juxtaposition with an operation maintained by a regional organization.... In the light of this experience, I feel it desirable again to call attention to the question of relationship between the United Nations and regional organizations in the hope that the Members of the United Nations will give further study to this matter."<sup>1</sup>

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<sup>1</sup> Introduction to the Annual Report of the Secretary-General on the Work of the Organization, 16 June 1965-15 June 1966. Supplement No. 1A (A/6301/Add.1), p. 4.

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VII

THE RESOLUTION OF THE CONFLICT AND THE  
WITHDRAWAL OF THE IAPP

A. RESOLVING THE CONFLICT

As pointed out in a preceding chapter, the 10th MPM, on 2 June 1965, created the Ad Hoc Committee, composed of Ambassador Bunker of the United States, Ambassador Ilmar Penna Marinho of Brazil and Ambassador Ramón de Clairmont Dueñas of El Salvador. To this Committee was entrusted the task of resolving the Dominican crisis.

The Ad Hoc Committee lost no time, reaching Santo Domingo on 3 June, the day after its creation. There it began an intensive series of exploratory conversations with the Constitutionals and Reconstructionists, and with a large number of groups and individuals from various sectors of the population from different parts of the country.

These explorations convinced the Committee that the best way of solving the crisis was through free and democratic elections as a means of achieving a reconciliation of the contending parties. Accordingly it developed a proposal for action which it submitted on 18 June 1965 for the consideration of the contending parties and made known its content to the Dominican people as a whole. In essence, the proposal contained the following main points:

1. Elections. General elections for the President and Vice-President of the Republic, members of Congress and for municipal authorities to be held throughout the country, within a period of from six to nine months.

2. Preparation for the electoral process and OAS assistance. In order that such elections might be free and reflect the will of the people, the OAS would cooperate fully in the preparation and holding of the elections, through its competent organs, especially a technical advisory commission composed of jurists and

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<sup>1</sup> The text of the proposal is to be found in The OAS Chronicle, op. cit., Number 1, p. 29.

experts from the member states, which would be established, and the Inter-American Commission on Human Rights, which would remain in the country throughout the pre-electoral period.

3. IAPF role. During the entire electoral process the Force, reduced in numbers strictly necessary to carry out its mission, will supplement the efforts of the Dominican authorities in the maintenance of peace.

4. General amnesty and restoration of peace. In the spirit of reconciliation, full amnesty will be granted to all who participated in the civil strife, provided that they will surrender their arms. The OAS will assist those who wish to leave the country and will take the necessary steps to obtain safe conduct for them.

5. The Dominican armed forces. These forces will return to their quarters and will remain subject to the authority of the provisional government which will be established, and will refrain from any political activity.

6. Arms control. The OAS and all responsible authorities will call upon the irregular forces on both sides to surrender their arms and return to their homes and normal pursuits. The OAS will receive custody of these arms and will establish arms collection stations.

7. Provisional government. To bring the country to elections, a provisional government will be established to exercise authority in the country until the elected government is installed.

8. OAS assistance for the provisional government. Upon the establishment of the provisional government, the Committee will recommend to the 10th MFM that the governments of all member states of the OAS grant it immediate recognition. The provisional government will then be in a position to receive extensive technical and economic assistance.

9. Institutional Act. A group of Dominican jurists would be entrusted with the task of preparing a draft of the institutional act which will be the basis for the provisional government's authority.

10. Constituent assembly. The constitutional issue will be decided by the Dominican people. Upon the installation of the elected government, a constituent assembly will be convened within six months to take a decision on the constitutional issue. The method by which the constituent assembly will be formed will be determined by the Congress.

The proposal of the Committee was accompanied by an impassioned Declaration<sup>1</sup> to the Dominican people, calling upon them to stop their fratricidal strife, and seek a solution of their troubles by "ballots not bullets" through the path proposed by the Committee.

After extensive and arduous negotiations with the contending parties and others, the Committee on 9 August presented to the parties an instrument entitled "Act of Dominican Reconciliation" which reflected the principles set out in the proposal of 18 June 1965 and formed the basis for a final agreement. Included in this instrument was the acceptance by the parties of the Provisional Government with Héctor García-Godoy<sup>2</sup> as the Provisional President "as the sole and sovereign government of the Dominican Republic," as well as their acceptance of the "Institutional Act," under which the Provisional Government would exercise its functions and hold elections.

Following some further revisions of the two instruments, the Act of Dominican Reconciliation with the Institutional Act<sup>3</sup> attached thereto was signed on 31 August 1965 by the members of the Committee, Héctor García-Godoy, who was

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1 The text of the Declaration is to be found in The OAS Chronicle, Vol. 1 (October 1965), Number 2, pp. 18-20.

2 Godoy was Foreign Minister under Bosch.

3 The text of the Act of Dominican Reconciliation is contained in The OAS Chronicle (October 1965), op. cit., pp. 20-31.

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to become President of the Provisional Government, and the representatives of "The Constitutionalist Government." Since "The Government of National Reconstruction" had resigned the day before, the Act of Dominican Reconciliation was signed by the representatives of the Armed Forces and the National Police, who bound themselves to give their resolute support to and acceptance of the Act.

On 3 September 1965, García-Godoy assumed the presidency of the Provisional Government to guide the country along the path of recovery and establish in it institutions of representative democracy. He was to hold office until the inauguration of a government elected by the process provided in the Institutional Act.

The Act of Dominican Reconciliation was the turning point in the crisis, although considerable shooting continued from time to time after the Act was signed. Both contending parties finally accepted the idea that the military presence of the United States in the first instance, followed by the presence of the IAPF, stood in the way of preventing a victory by either side. While the Act was nominally the work of the Committee, its chief planner, architect and driving force, it is believed, was Ambassador Bunker. During the negotiations in June, July and August, with the United States policy of reconciliation directed towards a political solution based on a compromise, "the IAPF had the difficult role of 'peacekeeper' to play"<sup>1</sup> between the two contending sides. In the early stages of its existence there were charges that the IAPF acted to support the "National Reconstructionists" (i.e. the "Loyalist" forces) and opposed the "Constitutionalists" (i.e. the rebels). These charges were denied by the IAPF and by the Johnson Administration. However, in the light of the firm policy of reconciliation as the basis of settlement, the IAPF was unquestionably an impartial instrument and on various occasions kept the belligerents, particularly the "National Reconstructionists," from getting at each other.

Upon the assumption of office by the Provisional Government on 3 September 1965, the IAPF role changed from one of impartiality to that of supporting the Provisional Government which had gained wide diplomatic recognition. In that role,

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<sup>1</sup> Palmer, op. cit., p. 18.

the IAPF had two basic tasks: to assist the Provisional Government in carrying out the Act of Reconciliation and providing the necessary support to insure free elections in June 1966.

"We immediately lifted our previous restrictions with respect to the operations of the Dominican Armed Forces and National Police. The ISZ and LOC were declared to be no longer existent, leaving only the IAPF perimeter around the former Rebel Zone of downtown Santo Domingo, known as Ciudad Nueva."<sup>1</sup>

Later on in October Caamaño, with most of his men, was persuaded to move out of Ciudad Nueva to the 27 February Camp, as it was called, where the IAPF provided external security against possible trouble from former Reconstructionists. This move enabled the IAPF to discontinue all check points and dismantle the IAPF perimeter around Ciudad Nueva in October 1965. Thus, Santo Domingo was by and large open again and there was free access for the first time since the uprising in April.

#### B. THE GARCÍA-GODOY PROVISIONAL GOVERNMENT

Upon the accession to the presidency, on 3 September 1965, García-Godoy delivered an impassioned speech<sup>2</sup> which referred, among other things, to the disastrous economic crisis, to the military intervention, and the need for the departure of the interventionist forces as soon as possible. His main task he said would be "the creation of an atmosphere of calm essential for the holding of free and genuine elections which will give our people a constitutional Government, a Government which will be the expression of the popular will and which will deserve the confidence and respect of all Dominicans." He pointed out that among the many past and present misfortunes of the Dominicans, which many regretted but few condemned with a genuine civic spirit, are "the plundering of the State, smuggling, a widespread lust for profits, influence-peddling, the abuse of power and the interference of the military in political affairs (often provoked by party and other interests). All of these ills

<sup>1</sup> Palmer, op. cit., p. 19.

<sup>2</sup> The text of the speech is contained in Document 358, 4 September 1965.

have been exacerbated by an overgrown bureaucracy." His cure for these ills included efficient dedication to work, administrative honesty, an intensive program of popular education, a reorganized civil service, and a land reform program. "We must also make absolutely certain that the armed forces take no part in politics and that we achieve an economic basis for the welfare of the Dominican people."

The enormous problems to help overcome and to achieve the objectives mentioned by the President, the Committee felt, would require, among other things, technical and economic assistance, the interim maintenance of elements of the IAPF, the designation of an OAS Electoral Committee to advise the Provisional Government in the organization and holding of elections, and the continuance of the Committee to give advice and guidance to the IAPF until its withdrawal from the Dominican Republic.<sup>1</sup>

1. Demilitarization and disarming civilians. Following the outbreak of the fighting in late April 1965, the rebels, it was reported, handed out arms to thousands of civilians. The problem was to recover these arms to the maximum possible extent. The Act of Dominican Reconciliation, Article 4, called for the demilitarization of the Constitutionalist zone and the disarming of civilians therein under verification measures to be set up by the Provisional Government. A commission, under the chairmanship of the Minister of the Interior and Police, which also included a representative of the Committee, was established to implement the provisions of Article 4.

To effect recovery of weapons in the possession of the civil population, the Provisional Government encountered armed resistance and requested, in agreement with the Committee, that the IAPF send troops into the former Constitutionalist zone to protect the inhabitants, restore order and permit the commission to carry out its task.

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<sup>1</sup> See the Second General Report of the Ad Hoc Committee of the 10th MFM, Doc. 374 Rev. 3, 24 September 1965, pp. 21-23.



The heavy and light weapons recovered were placed in special depots and were subsequently removed to the arsenals of the Republic. In addition, the command posts of the Constitutionalist troops were disarmed and dismantled.

2. Plots against the Provisional Government. Reports of plots against the Provisional Government circulated throughout the country from time to time. In late November reports reached the President and the Committee of imminent trouble in the Santiago and Barahona areas, where rightist elements were believed to be involved in planning the overthrow of the regime. The President and the Minister of the Armed Forces requested the Committee to arrange for the IAPF to send two patrol forces to Santiago and Barahona respectively. The patrols were sent. In the early hours of 22 November 1965, the President informed the Committee that disturbances had broken out in the Santiago area. The conspirators seized a small radio station in the nearby town of Tamboril, and broadcast the formation of a new government called the "Democratic Revolutionary Government" with Tomas Alcibiades Espinosa as President and Tapia Brea as Foreign Minister. Later that day, eight of the leaders of the conspiracy were arrested, and the attempt to overthrow the government collapsed.

The Committee in reporting this event to the 10th MFM said: "Information has reached the Committee that the plot had much wider ramifications throughout the country but that the psychological effect of the presence of IAPF contingents and the prompt and effective action of the Dominican armed forces and police foiled plans for more widespread action."<sup>1</sup>

3. Progress towards the restoration of normal conditions in Santo Domingo and throughout the Dominican Republic. The economic and financial assistance provided by the United States has already been described. The magnitude of the assistance was considerable and need not be restated.

The Committee, following the installation of the Provisional Government, sent periodic reports to the 10th MFM on the gradual but constant improvement of the economic situation in the country. As of December 1965, it was able to

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<sup>1</sup> Report of the Ad Hoc Committee, reproduced in S/6970, 23 November 1965.

report that "the situation in the city of Santo Domingo and in the rest of the country is encouragingly normal."<sup>1</sup> It stated that "Newspapers, places of business, banks and, in general, all establishments open to the public are continuing to perform their usual activities in a normal manner. Among many such particulars, one which deserves special mention by reason of its importance and significance is the evident and unquestionably increasing rate of activity in the port of Santo Domingo, where noteworthy progress has been made in clearing up the debris and wreckage left by the last conflict."<sup>2</sup> Ships had begun to use the facilities of the port for loading and unloading operations, thus providing employment for hundreds of workers.

4. The exodus of the military leaders of the contending parties. García Godoy, having announced that the election of a constitutional president would take place on 1 June 1966, turned his attention to "exiling" the military leaders of the contending parties in order to provide a better climate for the election. By 17 January 1966, a number of the rebel military leaders had already left the country for government sinecures abroad. There still remained the high-ranking leaders, including Caamaño. Before leaving the country, as a final concession to his various demands, Caamaño insisted that the IAPF agree to provide security for members of the 27th of February Camp. With this assurance given, he departed for London on 22 January to take up the post of Military Attaché. Along with his exodus were the other senior officers who also were given posts as Military Attachés in such capitals as Ottawa, Brussels, and Santiago, Chile. It is interesting to note that the IAPF provided security escorts for them and their families and helicopter transportation to the Punta Caucedo international airport.

Upon the departure of Caamaño and his colleagues, García-Godoy turned to the problem of "exiling" some of Caamaño's opposite numbers. Here García-Godoy encountered serious resistance, and there developed what was described as the Crisis of the Military Chiefs. Having ordered the reorganization of the top command, those eliminated were given

<sup>1</sup> Report of the Ad Hoc Committee, reproduced in S/6994, 6 December 1965, p. 1.

<sup>2</sup> Ibid.

appointments abroad. These, however, particularly the Minister of Defense Commodore Rivera Camiñero,<sup>1</sup> in effect, refused to obey the President's order. A coup d'état by the chiefs, who were supported by rightist elements, became a real possibility.

A general strike, supported by all elements of labor and Juan Bosch and his PRD Party, was called on 10 February. Their demands included the deportation of the military leaders responsible for the crisis, the punishment of the police responsible for killing several students, and the reviving of the Dominican case in the United Nations because of the "barefaced complicity" of the OAS and of the foreign troops.<sup>2</sup>

The strike, which lasted a week and crippled the country, was called off at the request of Juan Bosch, presumably on the basis of a compromise reached by García-Godoy with the labor leaders and Bosch.

After agreement by García-Godoy to some changes in the reorganization of the top command, Rivera stepped down and departed for Washington on 11 February.

During this serious crisis, the IAPF troops, principally United States, at the request of García-Godoy, returned to Ciudad Nueva on 13 February and took over the responsibility for law and order from the national police who were unable to cope with the situation. They remained there until 24 April when they returned to their camp sites.

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<sup>1</sup> His full name is Francisco Javier Rivera Camiñero. He formally held various posts including that of naval attaché in Washington, D.C. and "Secretary of State for Defense" in the "Government of National Reconstruction."

<sup>2</sup> It is difficult to explain how Bosch could have supported language in the demands relating to the "barefaced complicity" of the OAS and of the foreign troops when it was he, fearing for his life, asked and was provided IAPF troops to guard his residence on a 24-hour basis.

5. The election and inauguration of President Joaquin Balaguer.<sup>1</sup> The two principal candidates for the Presidency were Balaguer of the Reformist Party (PR) and Bosch of the Dominican Revolutionary Party (PRD). The election held on 1 June was a landslide victory for Balaguer who was inaugurated a month later. No serious incidents occurred during the campaign which called for alerting the IAPF to maintain law and order.

In addition to electing a president and vice-president for a term of four years beginning 1 July 1966, 27 senators and 74 deputies were also chosen to hold office for a similar term. On the municipal level, 70 mayors and 350 aldermen and their alternates were chosen for a term of two years.

The Group of Observers invited by the OAS witnessed and observed the elections in twenty-one provinces and in the National District (Santo Domingo). It was composed of outstanding persons from various countries of the Hemisphere, who acted in an individual capacity.

In its Report<sup>2</sup> to the Provisional President, the Group was unanimous that the action of the Government authorities had been perfectly correct. "The election officials performed their tasks efficiently and with a noteworthy spirit of impartiality, while the police authorities kept completely aloof from the electoral act itself." With respect to the conduct of the voters, the Group was rich in praise of the exemplary attitude of the voters, and their complete orderliness. The secrecy of the ballot was observed, notwithstanding the sometimes precarious condition of the premises where the voting was done, by the installation of small booths closed with paper or cloth curtains.

The public force, i.e. the Dominican Armed Forces and the National Police, "was entirely under the orders of the election authorities"<sup>3</sup> while the IAPF had been moved to

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<sup>1</sup> Balaguer was the last of dictator Trujillo's puppet Presidents.

<sup>2</sup> The Report is reproduced in S/7342, 7 June 1966.

<sup>3</sup> Ibid., p. 3.

points outside Santo Domingo, turning over their positions to the National Police and the Dominican Armed Forces, with the exception of a small contingent near the 27th of February Camp.<sup>1</sup>

### C. THE WITHDRAWAL OF THE IAPF

On 30 May, two days preceding the election, García-Godoy addressed a letter to the 10th MFM and asked that it withdraw the IAPF from Dominican territory after the elections and before the installation of the newly-elected government.<sup>2</sup> He had in mind the psychologically beneficial effect this would have on the voters before casting their ballots, as well as a strong desire to hand over the reins of government to the newly-elected head of a nation free of foreign troops. Moreover, being a shrewd politician and very likely with an eye towards the future, he wanted the credit for having been the man who brought about the withdrawal of the IAPF.

In the letter he took the occasion to inform the 10th MFM that he had already sent a personal emissary, Licenciado Ambrosio Alvarez Aybar, to the Chiefs of State of the member countries of the OAS for the purpose of obtaining their support for the withdrawal. García-Godoy took this step because he had learned that a two-thirds majority in the 10th MFM for the withdrawal was lacking, and hoped to secure it through Alvarez's mission.

<sup>1</sup> Cf S/7324, 27 May 1966.

<sup>2</sup> It should be noted that the withdrawal of the IAPF under paragraph 5 of the 6 May basic resolution was a matter for the exclusive competence of the 10th MFM - a view which the Ad Hoc Committee asserted and maintained in the numerous and prolonged discussions with the two contending parties during the negotiation of the Act of Dominican Reconciliation and the Institutional Act. See Second General Report of the Ad Hoc Committee, *op. cit.*, p. 7. The compromise reached is contained in Article 10 of the Act of Dominican Reconciliation: "The Provisional Government would immediately start negotiations with the 10th Meeting of Consultation of Ministers of Foreign Affairs, with regard to the form and date of the withdrawal of the Inter-American Peace Force from the national territory."

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At Caracas, the first capital visited on 3 May 1966, Alvarez learned that the American Embassy had informed the Venezuelan Foreign Office that the United States maintained the view that the withdrawal should be negotiated with the President elected on 1 June and not with García-Godoy. Brazil, Paraguay, Honduras, Nicaragua - providing forces to the IAPF - supported the United States view. Most of the others responded favorably to García-Godoy's proposal, while some promised an answer in the future.<sup>1</sup>

The United States position was based on the view of Balaguer who believed that the IAPF withdrawal should be negotiated by the newly-elected President and be kept in the Dominican Republic for a year after the newly-elected President took office. Bosch's view was similar to Balaguer's but he felt it should be kept eighteen months after the newly-elected President takes office. A compromise was finally reached. The 10th MFM on 24 June 1966 adopted the resolution of withdrawal<sup>2</sup> containing the following operating paragraphs:<sup>3</sup>

Resolves:

1. To direct that the Inter-American Peace Force withdraw from the territory of the Dominican Republic.
2. That this withdrawal begin before July 1, 1966, and be completed within ninety days from the date on which it begins.

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- <sup>1</sup> The report by Alvarez on his mission to the Chiefs of State was made available by García-Godoy to a member of this Research Project.
  - <sup>2</sup> The authority of the 10th MFM to determine the question of withdrawal suggests a comparison with the withdrawal of UNEF from the Gaza Strip and Sinai. President Nasser of the UAR told the Secretary-General of the United Nations in May 1967 to remove UNEF, and the Secretary-General complied. While the Secretary-General was criticized for removing UNEF so hastily, he believed he had no practical alternative since the basis of the presence of UNEF was President Nasser's consent which was formalized in the status of forces agreement between him and the Secretary-General - a consent which he could withdraw at will if it were done in "good faith."
  - <sup>3</sup> Doc. 78 Rev. 6 Corr., 21 July 1966.

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3. That the Ad Hoc Committee, in agreement with the Dominican Government, give the Inter-American Peace Force the necessary instructions concerning the dates for and the manner of effecting its withdrawal, in accordance with paragraph 2 above.

4. To inform the Security Council of the United Nations of the text of this resolution, in accordance with the provisions of Article 54 of the Charter of the United Nations.

The vote on the resolution was 18-0, with Mexico abstaining and the Dominican Republic not voting. Following the vote, there was unanimous praise for the Dominican people and incidental and parenthetical commendation for the Ad Hoc Committee. As for the IAPF and its work, the statements of the representatives of Chile, Ecuador, Uruguay and Venezuela made clear that their favorable votes should not be construed as approval of its creation or its actions.

Orders for the withdrawal operation were issued by the Commanding General on 28 June, four days after the adoption of the 10th MFM resolution. The size of the Force the end of June was approximately 8,000 men and their withdrawal along with their equipment was scheduled to be spaced over a three-month period.<sup>1</sup>

The first unit of the IAPF to inaugurate the withdrawal on 28 June was the United States 1st Battalion, 320th Artillery Regiment, in the strength of approximately 370 men, along with their stores and equipment. The withdrawals continued on schedule throughout the months of July, August, and September.

In accordance with the directive of the United States Joint Chiefs of Staff of 28 June, the provision of airlift for initial redeployment of the Paraguayan contingent began on 22 July and consisted of a two-phase airlift of 136,472 pounds of equipment from the Dominican Republic to Asuncion, Paraguay. Six C-130's were involved in this airlift movement. In the second phase of the operation, 29-30 July, three C-130's and one C-118 transported 17 officers, 193 enlisted personnel, and 52,000 pounds of equipment.

<sup>1</sup> Such equipment as the United States Army provided, the Latin-American contingents were permitted to take with them.



On 12 August, 119 personnel of the Honduran contingent were airlifted by one C-130 and one Honduran C-54 to Tegucigalpa. The 11-man Costa Rican contingent with 1,200 pounds of equipment was airlifted to San Jose, by one C-130 on 13 August. There followed on 22 August the airlift of 154 personnel of the Nicaraguan contingent to Managua. This operation required three C-130's to transport them and their equipment.

Starting on 22 August, the United States Navy completed the deployment of the Central-American contingents by sealift of 12 Nicaraguans, 115 Hondurans, and 244,000 pounds of equipment. The Honduran element with 144,000 pounds of equipment was delivered to Puerto Cortes on 29 August. The Nicaraguan detachment with the remaining cargo was off-loaded at Corinto on 7 September.<sup>1</sup>

The Brazilian element of the IAPF, it should be noted, provided its own means of transportation.

The Commander of the IAPF, the Brazilian General Alvaro Alves da Silva Braga (who succeeded General Hugo Panasco Alvim on 17 January 1966), left on 20 September, accompanied by officers of his staff and the remaining Brazilian troops. On 21 September, with the departure of Brigadier-General Robert R. Linvill, the United States Deputy Commander of the IAPF (who succeeded General Bruce Palmer, Jr. on 17 January 1966) and the remaining United States military personnel, the withdrawal of the IAPF troops from the Dominican Republic was completed.

One might conclude this section of the paper by indicating what the casualty figures were during the period of the Force's operation of approximately 16 months:

For the Latin-American Forces, there were no hostile deaths, 17 hostile wounded, and 1 non-hostile death.

For the United States Forces (which cover the period from the time of their landing to the time of departure), there were 27 hostile deaths, 172 hostile wounded, 20 non-hostile deaths, and 111 non-hostile wounded.<sup>2</sup>

<sup>1</sup> This information is drawn from History, Operation "Trade-wind," USAF Southern Command, July-31 December 1966, Vol. I, pp. 94-95.

<sup>2</sup> These figures were supplied by Headquarters, Department of the Army, Office of the Deputy Chief of Staff for Military Operations.

VIII

SUMMARY AND CONCLUSIONS

The conclusions, while interrelated, are considered under four separate headings: military, political, economic, and United Nations.

A. MILITARY ASPECTS

1. The unilateral military intervention in the Dominican Republic civil war, initially to evacuate United States and other nationals, was immediately followed by a rapid military buildup in the objective area in Santo Domingo to thwart what the United States government feared might lead to a possible "communist take-over" by the rebels.

2. If one divides the military intervention into two distinct stages: (1) to evacuate United States and other nationals; and (2) to thwart by unilateral military means a possible "communist take-over" by the rebels, in the view of the writer, the first can be adjudged to be permissible under international law; the second a contravention of the OAS Charter, Articles 15, 16, 17 and 19.

3. Notwithstanding the contravention of the OAS Charter, the 10th MFM on 6 May 1965, in creating the IAPF, in effect, legitimized the military intervention of the United States. The Force's mission set out in paragraph 2 of the 6 May 1965 resolution was:

that of cooperating in the restoration of normal conditions in the Dominican Republic, in maintaining the security of its inhabitants and the inviolability of human rights, and in the establishment of an atmosphere of peace and conciliation that will permit the functioning of democratic institutions.

The language of this paragraph suggests the conclusion that by cooperating in creating an atmosphere of peace and conciliation that will permit "the functioning of democratic institutions," the IAPF was expected to abort a communist "take-over," which was the United States objective in intervening.

4. The IAPF, brought about by the 10th MFM on 6 May 1965, was an historic event in the annals of the OAS. For the first time nations of the Western Hemisphere banded together to form an Inter-American Peace Force. Whether this unprecedented act portends in the foreseeable future the creation of an international peacekeeping force as such or in the form of standby forces on the part of those in the OAS capable of doing so, is highly doubtful.

5. The IAPF was essentially a United States operation, as was evident from the overwhelming proportion of United States forces to those which came from Latin-American states. The approximate strength of the IAPF at its peak (June 1965) was United States 11,935, and those from Latin America 1,763.

6. The IAPF in view of the broad and generally worded mission had great flexibility, as may be seen from the variety of tasks it was called upon to perform. On a number of occasions, to mention but a few, it participated in quelling disorder and in thwarting a serious attempted coup to topple the Provisional Government. At his urgent request it provided safe conduct for Caamaño and his senior military officers when they departed for their diplomatic sinecures abroad.

7. It was an indispensable instrument in bringing the contending parties to the realization that it would not permit a victory of one over the other.

8. Following agreement on the Act of Dominican Reconciliation, the IAPF assisted the Provisional Government in disarming and dismantling the "Constitutionalist Government" military apparatus and in collecting the small arms which were distributed by the rebels to many civilians in the early days of the revolt. Had these arms not been collected, they would have constituted a great danger to the regime.

9. While the participation of the IAPF in its arms control tasks flowed from a generally-worded mandate, it is suggested that in future peacekeeping operations consideration be given to include language which would authorize arms control tasks should they arise.

10. The psychological effect of the presence of the IAPF, while it can not be measured in concrete terms, was indispensable to the long and tortuous negotiations of the

Ad Hoc Committee with the "Constitutionalist Government" and "the National Reconstructionist Government" in bringing about a resolution of the crisis.

11. While the arduous negotiations between the Ad Hoc Committee and the contending parties to resolve the Dominican crisis were difficult, the implementation of the agreements reached was more so. It can be said that the presence of the IAPF enabled the Provisional Government to implement the Act of Dominican Reconciliation, and prepare the country for elections and a return to constitutional government.

12. From a military standpoint, and on balance, the IAPF was a success. Its presence in the Dominican Republic was the most important factor in resolving the crisis.

13. The IAPF was by and large a neutral force as between the contending parties. It could have crushed the rebels since it had the strength to do so. Its aim, however, was to prevent one belligerent from getting at the other, and to create the conditions to effect a reconciliation by political means.

14. Once the Provisional Government was installed, the IAPF changed from its mission of neutrality to one of supporting the Provisional Government in the implementation of the Act of Dominican Reconciliation.

15. The multinational character of the Force took out some of the immediate sting of the United States unilateral military intervention in contravention of the OAS Charter. One might also add that the IAPF, as the creature of the OAS, provided, in some respects, the symbol of legitimization (ex post facto) of the United States military intervention.

16. The 10th MFM maintained policy control of the IAPF in principle throughout the Force's existence and reserved to itself the decision to withdraw the Force. This policy control was a recurring theme in its resolutions relating to the Force.

17. Unlike the Secretary-General of the United Nations who is the commander-in-chief of the peacekeeping operation, who puts together the force, and appoints its commander, the Secretary-General of the OAS has no such powers. There was

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but one stopgap interval when he was entrusted as the representative of the 10th MFM to give political guidance to the IAPF.

18. There was no status of forces agreement between the OAS and the Dominican Republic since there was no government with which to negotiate one. Nor was one negotiated when the Provisional Government came into existence and had the power to do so under the Institutional Act. The effort was made it appears, but was not carried through.

19. Agreements between the individual contributors of contingents on the one hand and the Secretary-General of the OAS on the other hand, were also not negotiated. It would appear that no effort was made in this direction.

20. The rules and regulations of the IAPF which, under a United Nations peacekeeping operation, are given the Commander of the Force by the Secretary-General, were in the instance of the IAPF, drawn by its Commander on the authority stemming from the basic 10th MFM resolution of 6 May.

21. The IAPF Commander was responsible to the 10th MFM, whereas the United Nations Commander has traditionally been responsible to the Secretary-General.

22. In contrasting the organizational peacekeeping modalities between the OAS with those of the United Nations, one is struck by the failure on the part of the OAS to appreciate the problems that are likely to arise in a multinational peacekeeping operation. Had it drawn on the United Nations experience, it would have taken timely steps to provide a legal basis for their solution.

23. The Unified Command of the IAPF provided essential direction and coordination. Military doctrines and procedures were common throughout the Force. This was due in considerable measure to the presence on the Headquarters staff of many Latin-American officers who had attended the advanced military schools in the United States. The Chief of Staff of the Unified Command, for example, had twice attended the Command and General Staff College at Fort Leavenworth, Kansas, and was also a student at Air University at Maxwell Air Force Base, Alabama.

24. The United States supplied virtually all of the logistical support for the IAPF. Being the sole supplier, there were no serious problems regarding standardization of weapons, transportation and communication, such as plagued the UNEF and ONUC operations. Procedures for providing data processing support for all classes of supply were in due course substituted from manual supply control system to a mechanized system.

25. The organization and provision of logistic support, based on principles developed for a modern army, with a high standard of living, was effective and generally efficient. With the United States element the largest logistics consumer, the size of the organization was reorganized and decreased as the size of United States forces decreased.

26. The cost of supplying the logistic support to non-United States contingents in the IAPF from the period May 1965-September 1966 was \$3,269,194. No reimbursement for this support has thus far been made, and it is likely that none will be, since those contributing forces regarded their contributions in manpower to help out the United States as the quid pro quo for logistic support.

The "out-of-pocket costs" (i.e. costs over and above normal expenditures) of the United States military element for the three services in the Dominican crisis totaled slightly over \$35,000,000, and were paid from military appropriations.

27. An Inter-American peacekeeping force on an "earmarked" or standby basis, similar, for example, to that of the four Nordic countries and some other United Nations members, with special training and indoctrination required for this uncommon type of military operation, would appear to be desirable. The "earmarked" forces would be under the control of the individual governments and could or not be a part of their regular military establishments until requested by the OAS, at which time, if these governments agreed, they would be placed under the control and direction of the international organization.

28. The existence of such forces would appear to be in the interest of the Inter-American community. It would inhibit, if not prohibit, unilateral action by any of its members and provide all of them, through the OAS, a role in deciding whether such a peacekeeping force should be activated.



Indeed, it was the United States' contention in the 10th MFM that had there been an Inter-American peacekeeping force which it has unsuccessfully espoused, it could have assumed the functions which it was necessary for United States forces to carry out. The successful OAS experience with the IAPF provides a further and compelling reason for examining the desirability of creating an international peacekeeping force on a standby basis.

29. The likelihood, however, of the OAS creating an Inter-American peacekeeping force or even approving an arrangement for earmarking forces is slim, at least for the foreseeable future. The strong opposition on the part of a number of the major Latin-American states to any movement in this direction is long standing. But there are some, as the Dominican experience demonstrated, who would be sympathetic to the idea.

30. Understandably, not all of the Latin-American countries would have the required resources to "earmark" contingents. In this connection the problem in some respects is not unlike that which exists in the United Nations where a small proportion of the membership has "earmarked" forces and a few others have expressed a willingness to help but have not taken the steps to "earmark."

The Congressional policy expressed in Section 505 of the United States Foreign Assistance Act of 1961, as amended, which has remained dormant, could provide the basis for assisting those countries of Latin America who are willing to "earmark" contingents but lack the resources to do so.

#### B. POLITICAL ASPECTS

31. Once the "Constitutionalists" and the "Reconstructionists" became convinced that a victory by one over the other would not be permitted by the IAPF, the Ad Hoc Committee, believing that reconciliation must be the basis for a stable democratic government, brought about the Act of Dominican Reconciliation.

32. The Act, signed on 31 August 1965, followed by the induction of García-Godoy on 3 September 1965 as the President of the Provisional Government who was acceptable to both warring parties, marked the turning point in the effort to resolve the crisis.



33. The Ad Hoc Committee acted in a dual capacity: (1) it was the instrument of the 10th MFM to negotiate a peaceful solution of the crisis based on the principle of reconciling the differences between the contending parties; and (2) it was the instrument to provide the IAPF with political guidance. While its dual mission stemmed from the regional body, its standing and authority derived from the presence on the 3-man Ad Hoc Committee of Ambassador Bunker. It was he who conceived the basic elements of the Act of Dominican Reconciliation and, with exemplary restraint and understanding, provided the negotiating strategy and tactics that led to its acceptance by the warring parties. Without detracting in any way from the unique qualities of Ambassador Bunker and the role he played in bringing the crisis to an end, one must add that his presence on the Committee carried with it the weight and prestige of the United States.

#### C. ECONOMIC ASPECTS

34. The form of United States support in economic assistance - grants, loans, technical assistance, and Food for Peace - to help restore the economy of the Dominican Republic wracked by a civil war, greatly exceeded in dollar cost the logistics support given the Latin-American contingents of the IAPF.

35. The total of United States economic assistance in its various forms from April 1965 to 30 June 1966 came to \$141,300,000. The total United States logistics support provided from May 1965 to 21 September 1966 when the IAPF was withdrawn (this figure does not include the support cost applicable to the U.S. element of the Force), as already indicated, came to \$2,519,487.

36. Economic assistance, however, was continued by the United States beyond June 1966. Accordingly, if we add to the \$141,300,000 the economic assistance provided the Dominican Republic by AID and Food for Peace from 1 July 1966, when the Balaguer government came to power, to the end of December 1968, the grand total comes to \$270,000,000.

Of this grand total, \$114,900,000 were grants and \$155,100,000 in loans. One can reasonably conclude that the economic cost of the United States military intervention in the Dominican Republic came very high, and was considerably greater than the military cost which came to \$38,269,185.

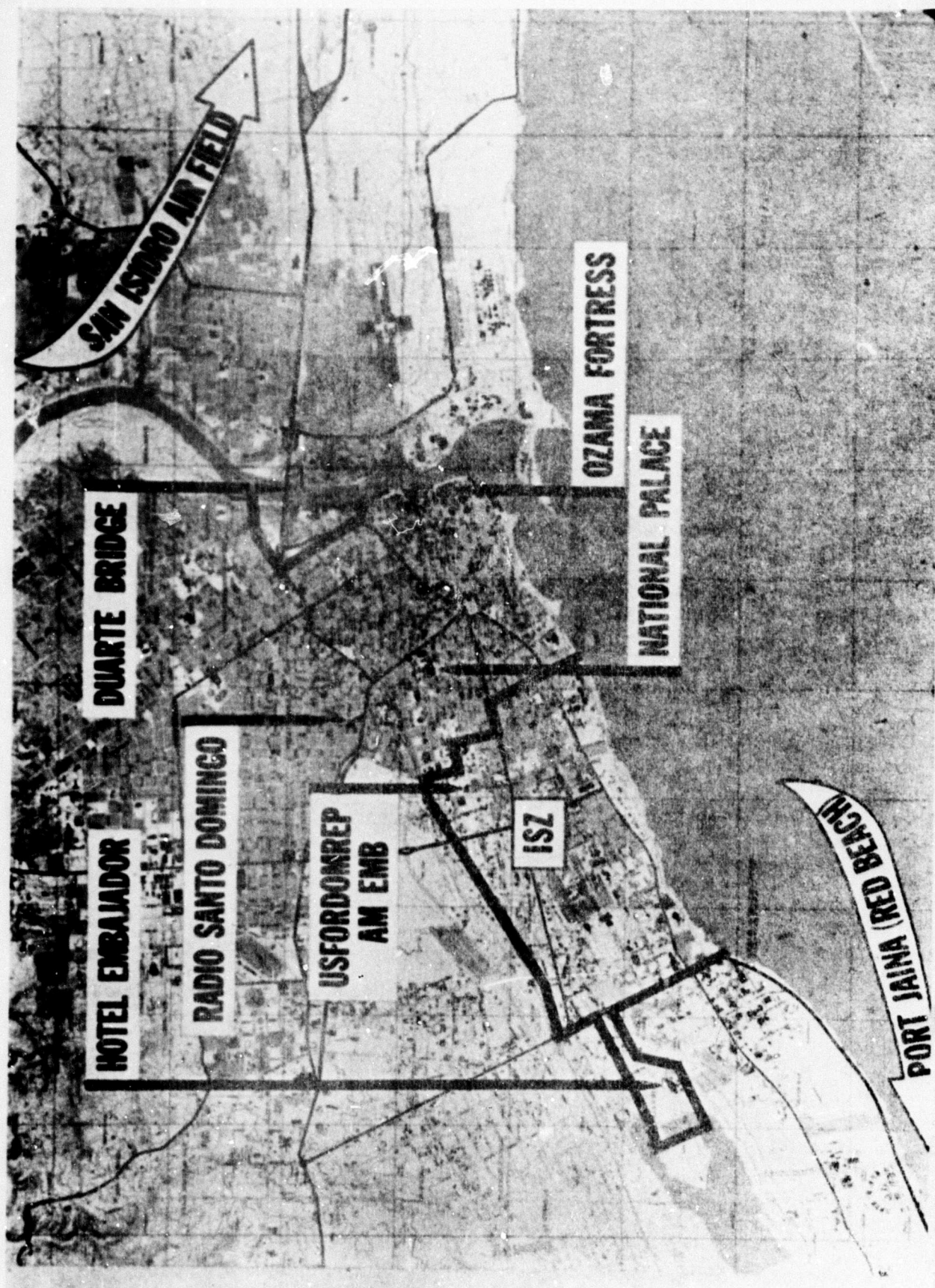
D. THE UNITED NATIONS' ROLE

37. The intervention of the United Nations in the Dominican crisis by means of a United Nations mission appointed by the Secretary-General at the request of the Security Council, and charged with the responsibility of observing and reporting on the developments in a situation which was already being dealt with by a regional organization, was unprecedented.

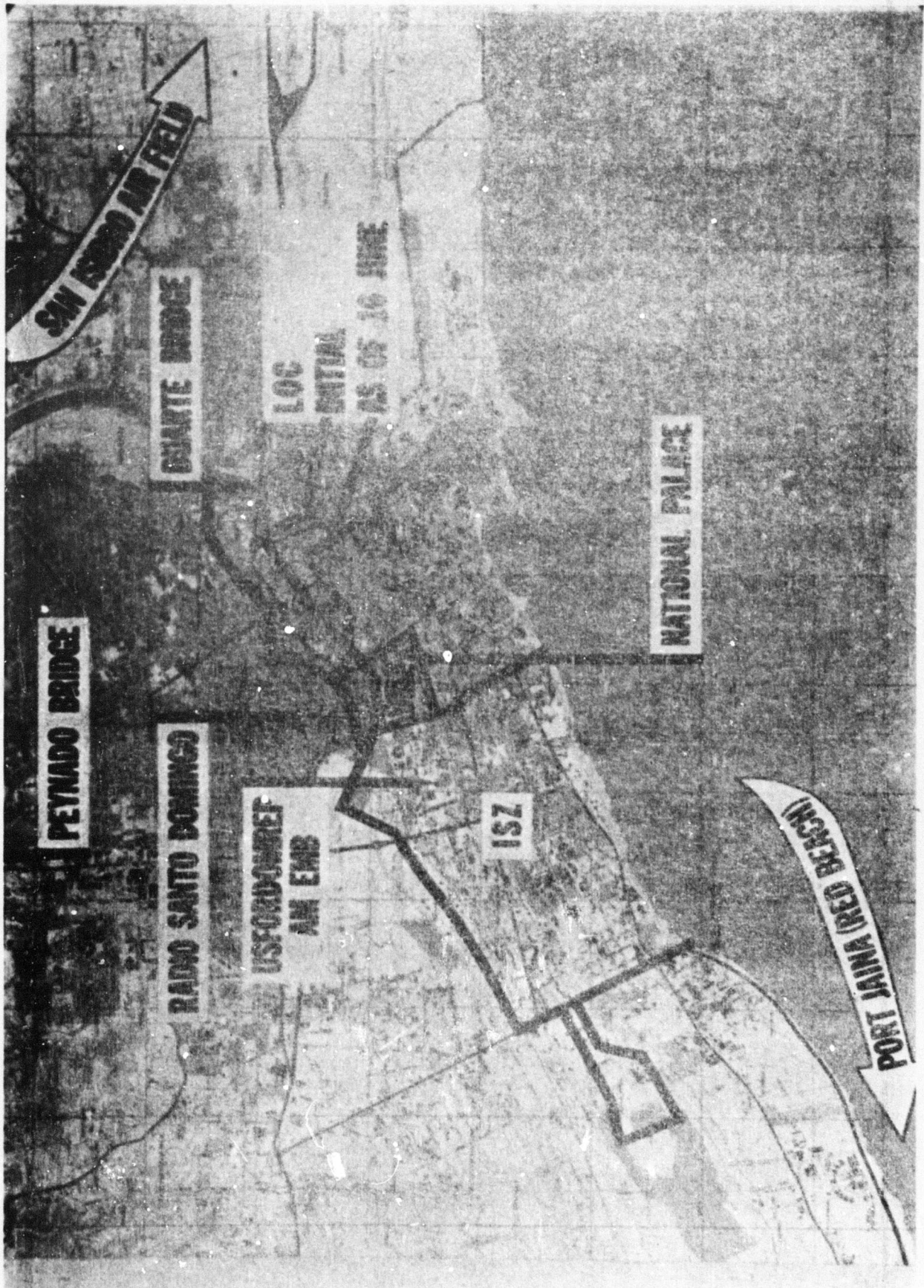
38. The United Nations mission, operating in the same area and dealing with the same matters as the OAS (Mr. Mayobre did not confine himself to his terms of reference), created a conflict of jurisdiction, to the prejudice of the action initiated by the regional agency. Accordingly, to ward off a conflict of jurisdiction between the World Organization and a regional organization in the future, this novel question of relationship should be studied and resolved by the United Nations and the regional agencies.

39. The debate in the Security Council, wherein the USSR maintained that the decision of the OAS in establishing and implementing the IAPF without the authorization of the Security Council violated Article 53(1) of the Charter of the United Nations, with the United States replying that the IAPF was not "enforcement action" but a measure aimed at restoring normal conditions and establishing an atmosphere of conciliation, raised an important constitutional issue which was not resolved and might very well arise in the future, as it has in the past.

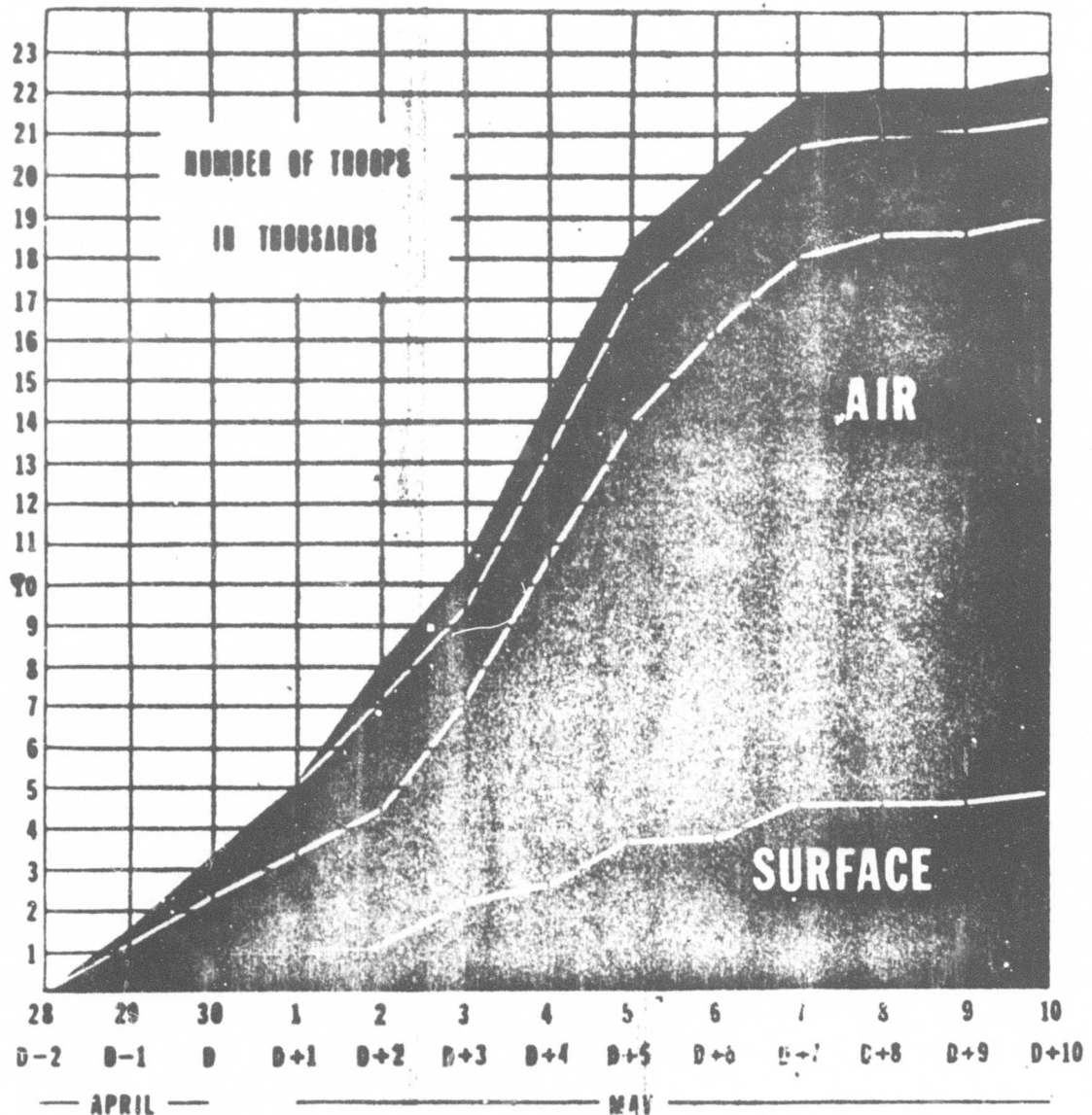
40. It is highly unlikely that this issue, charged with strong political differences, can be settled in the Security Council. The question is one properly for the Court of International Justice to answer and those who believe in the rule of law should be prepared to submit it for an advisory opinion.







# DOMINICAN REPUBLIC TROOP BUILDUP 28 APRIL - 10 MAY



ORGANIZATION OF AMERICAN STATES

TENTH MEETING OF CONSULTATION OF MINISTERS  
OF FOREIGN AFFAIRS

RESOLUTION ADOPTED IN THE THIRD PLENARY SESSION,  
HELD ON MAY 6, 1965

WHEREAS:

This Meeting at its session of May 1, established a Committee to proceed to the Dominican Republic to seek the reestablishment of peace and normal conditions in the territory of that republic;

The said resolution requests the American governments and the General Secretariat of the Organization of American States to extend their full cooperation to facilitate the work of the Committee;

The formation of an inter-American force will signify ipso facto the transformation of the forces presently in Dominican territory into another force that will not be that of one state or of a group of states but that of the Organization of American States, which Organization is charged with the responsibility of interpreting the democratic will of its members;

The American states being under the obligation to provide reciprocal assistance to each other, the Organization is under greater obligation to safeguard the principles of the Charter and to do everything possible so that in situations such as that prevailing in the Dominican Republic appropriate measures may be taken leading to the reestablishment of peace and normal democratic conditions;

The Organization of American States being competent to assist the member states in the preservation of peace and the reestablishment of normal democratic conditions, it is also competent to provide the means that reality and circumstances require and that prudence counsels as adequate for the accomplishment of such purposes; and

The Committee of the Organization of American States that proceeded to the Dominican Republic, in its second report to this Meeting, advises the formation of an inter-American force to achieve the objectives determined by the Meeting of Consultation,

THE TENTH MEETING OF CONSULTATION  
OF MINISTERS OF FOREIGN AFFAIRS

RESOLVES:

1. To request governments of member states that are willing and capable of doing so to make contingents of their land, naval, air or police forces available to the Organization of American States, within their capabilities and to the extent they can do so, to form an inter-American force that will operate under the authority of this Tenth Meeting of Consultation.

2. That this Force will have as its sole purpose, in a spirit of democratic impartiality, that of cooperating in the restoration of normal conditions in the Dominican Republic, in maintaining the security of its inhabitants and the inviolability of human rights, and in the establishment of an atmosphere of peace and conciliation that will permit the functioning of democratic institutions.

3. To request the commanders of the contingents of forces that make up this Force to work out directly among themselves and with a Committee of this Meeting the technical measures necessary to establish a Unified Command of the Organization of American States for the coordinated and effective action of the Inter-American Armed Force. In the composition of this Force, an effort will be made to see that the national contingents shall be progressively equalized.

4. That at such time as the OAS Unified Command shall have determined that the Inter-American Armed Force is adequate for the purposes contemplated by the resolution adopted by this Meeting on May 1, 1965, the full responsibility of meeting these purposes shall be assumed by that Force.



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ANNEX D

5. That the withdrawal of the Inter-American Force from the Dominican Republic shall be determined by this Meeting.

6. To continue in session in order to keep the situation under review, to receive the report and recommendations of the Committee, and in the light thereof to take the necessary steps to facilitate the prompt restoration of democratic order in the Dominican Republic.

7. To inform the Security Council of the United Nations of the text of this resolution.

## ACT ESTABLISHING INTER-AMERICAN FORCE

## WHEREAS:

The Tenth Meeting of Consultation of Ministers of Foreign Affairs of the American States requested by resolution of May 6 that governments of member states that are willing and capable of doing so make contingents of their land, naval, air or police forces available to the Organization of American States to form an Inter-American Force that will operate under the authority of the Tenth Meeting of Consultation;

This force, pursuant to the Resolution of May 6, will have as its sole purpose, in a spirit of democratic impartiality, that of cooperating in the restoration of normal conditions in the Dominican Republic, in maintaining the security of its inhabitants and the inviolability of human rights, and in the establishment of an atmosphere of peace and conciliation that will permit the functioning of democratic institutions;

The Meeting of Consultation of Ministers of Foreign Affairs, by Resolution of May 22, 1965, has requested the Government of Brazil to designate the Commander and the Government of the United States to designate the Deputy Commander of the Inter-American Force;

In accordance with the request of the Resolution of May 6, the commanders of the contingents of forces making up this force have agreed among themselves and with the duly authorized representative of the Tenth Meeting of Consultation of Ministers of Foreign Affairs of the American States on the technical measures necessary to establish a Unified Command of the Organization of American States for the Coordinated and effective action of the Inter-American Force, as follows:

## I

1. The Inter-American Force is hereby established as a force of the Organization of American States.
2. The Inter-American Force shall consist of the Unified Command and the national contingents of member states assigned to it.
3. The Unified Command shall consist of the Commander of the Inter-American Force, the Deputy Commander, and the staff.

4. The Commander of the Inter-American Force shall exercise operational control over all elements of the force. He shall be responsible for the performance of all functions assigned to the force by the Organization of American States, and for the deployment and assignment of the units of the force.

5. Members of the force shall remain in their respective national service. During the period of assignment to the force they shall, however, serve under the authority of the Organization of American States and subject to the instructions of the Commander through the chain of command. Command of national contingents, less operational control, shall remain vested in the Commanders of the respective national contingents.

## II

1. The Commander of the Inter-American Force shall keep the Meeting of Consultation currently informed of the activities of the Force.

2. The Inter-American Force, through its Commander, will receive general political guidance from the Meeting of Consultation.

3. The Commander shall issue Force Regulations, which shall be binding upon all members of the Force.

4. The Commander shall establish a table of organization and designate a chain of command for the Force.

5. The staff of the Unified Command shall include representatives of each member state contributing forces. Positions on the staff shall be assigned by the Commander with due regard for appropriate representation of the national units making up the force. A member of the staff shall be appointed by the Commander as full-time liaison officer with the duly authorized representative of the Meeting of Consultation.

## III

1. In conformance with the Resolution of May 22, the Government of the United States of Brazil has designated General Hugo Panasco Alvim as the Commander of the Inter-American Force.

2. In conformance with the Resolution of May 22, the Government of the United States of America has designated Lt. Gen. Bruce Palmer, Jr. as the Deputy Commander of the Inter-American Force.

Signed and put in force this 23rd day of May 1965 at Santo Domingo by the duly authorized representative of the Meeting of Consultation and the Commanders of all national contingents made available to the Organization of American States and present in the Dominican Republic in accordance with the Resolution of May 6 adopted by the Tenth Meeting of Consultation of Ministers of Foreign Affairs.

(s) Colonel Carlos de Meira Mattos  
For the Government of Brazil

(s) José A. Mora,  
Secretary General of the  
Organization of American  
States  
For the Tenth Meeting of  
Consultation of Ministers  
of Foreign Affairs of the  
American States

(s) Lieutenant Colonel Alvaro Arias  
For the Government of Costa Rica

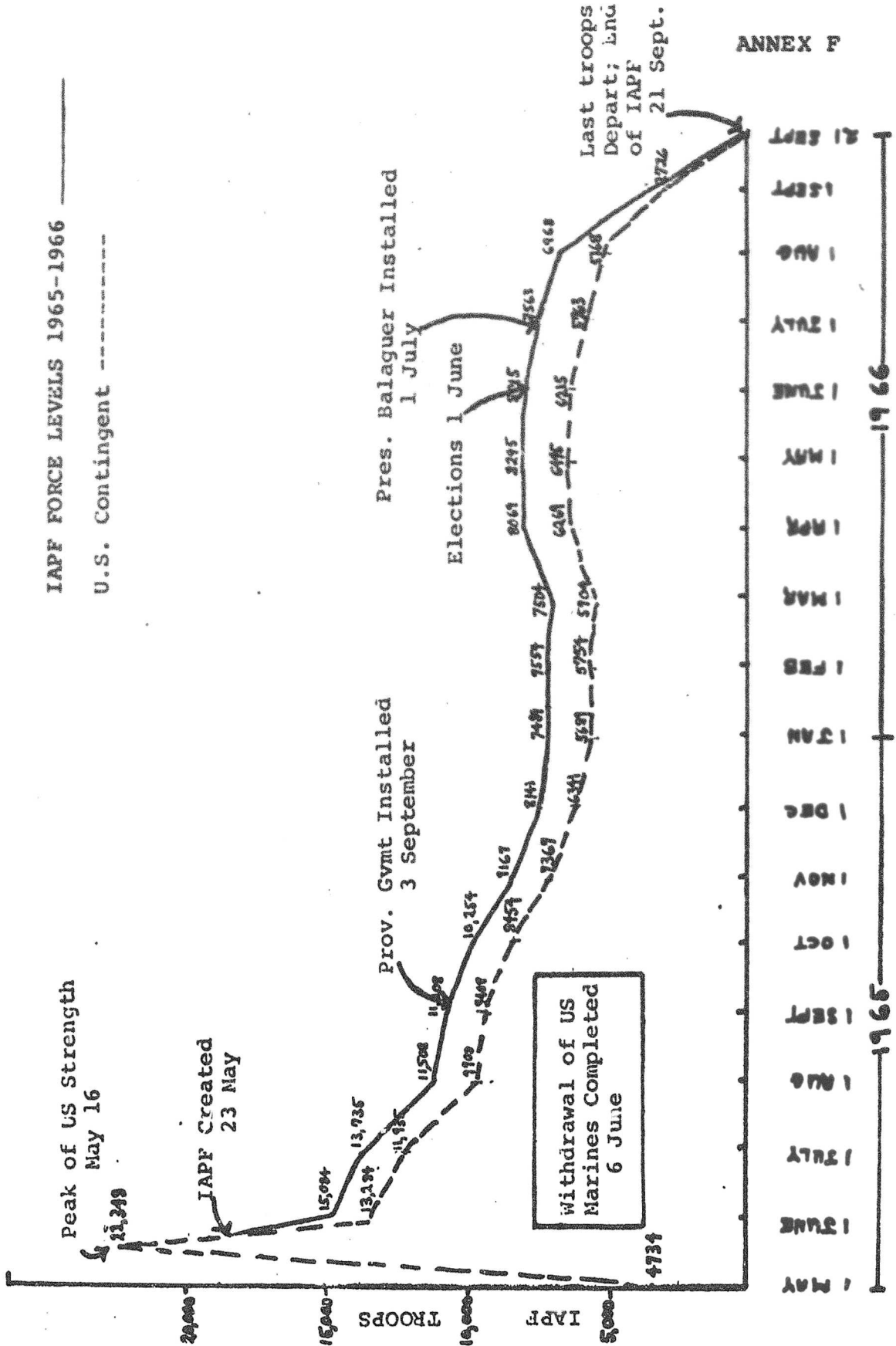
(s) Lieutenant General Bruce Palmer, Jr.  
For the Government of the United States  
of America

(s) Major Policarpo Paz García  
For the Government of Honduras

(s) Captain Miguel Blessing W.  
For the Government of Nicaragua

IAPF FORCE LEVELS 1965-1966

U.S. Contingent -----

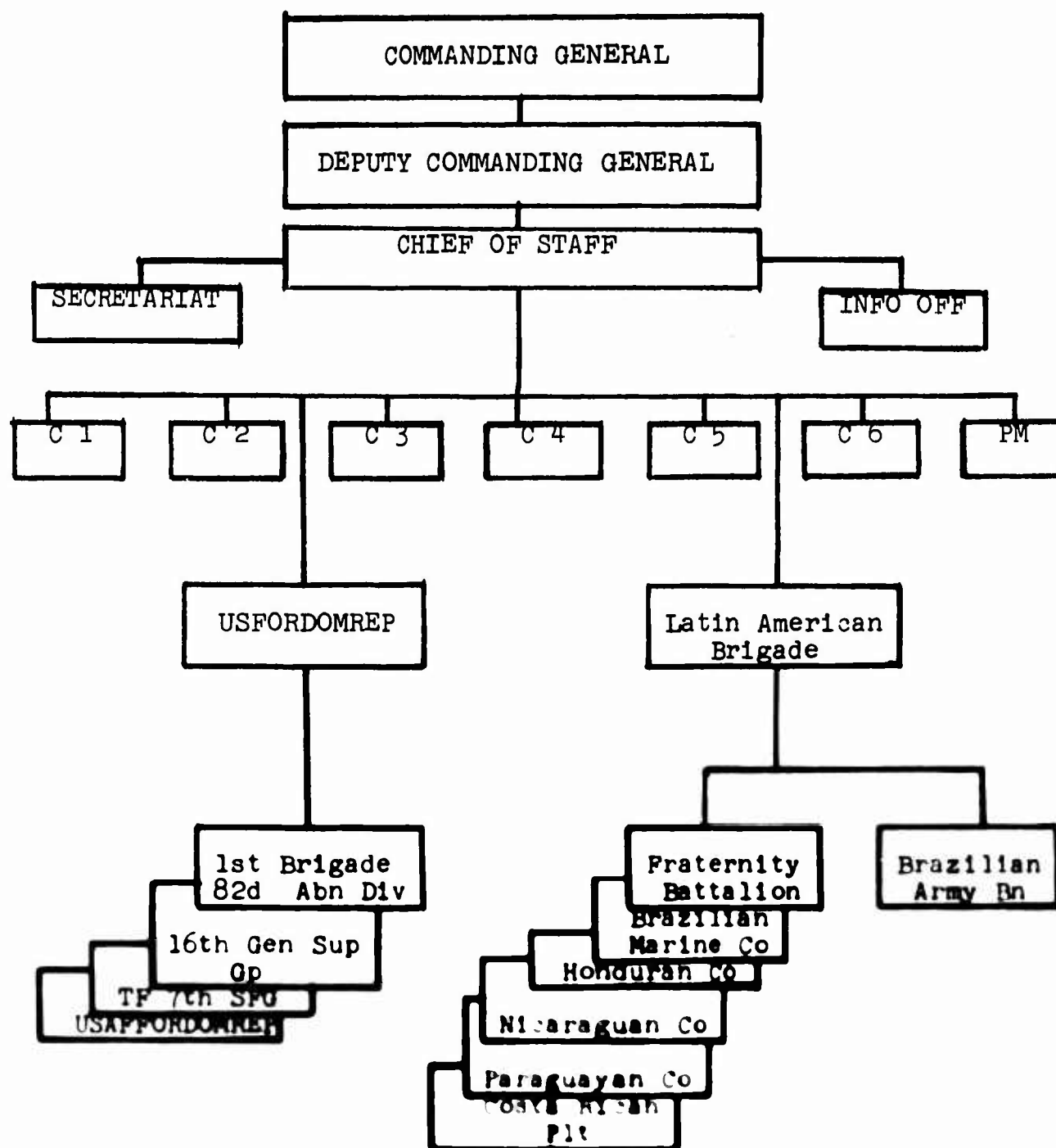


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ANNEX G

ORGANIZATION CHART

HEADQUARTERS  
INTER-AMERICAN PEACE FORCE





## REGULATIONS FOR THE INTER-AMERICAN PEACE FORCE

## Chapter I

## GENERAL PROVISIONS

1. Issuance of Regulations. The regulations for the Inter-American Peace Force (hereinafter referred to as the Force) are issued by the Commander of the Force (hereinafter referred to as the Commander) in accordance with paragraph II-3 of the Act establishing the Inter-American Force signed May 23, 1965.

2. Amendments. These regulations may be amended or revised by the Commander.

3. Supplemental Instructions. Supplemental instructions consistent with the present regulations and the act establishing the Inter-American Force of May 23, 1965 (hereinafter referred to as the Act) may be issued by the Commander as required.

4. Command Orders. The Commander may issue orders consistent with the resolution of the Tenth Meeting of Foreign Ministers, the Act, these regulations and amendments thereto, and supplemental instructions referred to in regulation 3 (a) in the discharge of his duties as Commander of the Force; or (b) in implementation or explanation of these regulations.

5. Definitions. The following definitions shall apply to the terms used in the present regulations: (a) The "Commander of the Inter-American Peace Force" or the "Commander" is the general officer designated as Commander of the Force (paragraph III-1) of the Act. The "Deputy Commander of the Inter-American Peace Force" or the "Deputy Commander" is the general officer designated as Deputy Commander of the Force (paragraph III-2 of the Act. (b) The OAS unified command shall consist of the Commander and the Deputy Commander together with the staff. (c) A "Member of the Inter-American Peace Force" or a "Member of the Force" is the Commander and any person belonging to the military

services or police of a state serving under the Commander either on the OAS Unified Command or with a national contingent. (d) A "Participating State" is a state providing national contingents to the Force. A "Participating Government" is the government of a participating state. (e) The "Authorities of a Participating State" are those authorities who are empowered by the law of that state to enforce its military or other law with respect to the members of its armed forces.

## Chapter II

### INSIGNIA OF THE FORCE

6. Uniform Insignia. Members of the Force shall wear such distinctive insignia as the Commander in consultation with the representative of the OAS shall prescribe.

7. Markings. All means of transportation of the Force, including vehicles, vessels and aircraft, and all other equipment when specifically designated by the Commander shall bear a distinctive OAS mark in addition to national markings.

## Chapter III

### AUTHORITY OF THE COMMANDER

8. Command Authority. (a) The Commander has operational control over the Force. He is operationally responsible for the performance of all functions assigned to the Force by the OAS, and for the deployment and assignment of troops placed at the disposal of the Force. (b) The Deputy Commander is the alter ego of the Commander, and shall perform such functions as may be assigned him by the Commander. In the absence of the Commander, he shall exercise the full powers and responsibilities of the Commander.

9. Chain of Command and Delegation of Authority. The Commander shall designate the chain of command for the Force making use of the officers of the OAS Unified Command and the commanders of the national contingents made available by participating governments through the OAS. The

Commander may make such provisional emergency assignments as may be required. The Commander has full authority with respect to all assignments of members of the OAS Unified Command, and, through the chain of command, of all members of the Force. Instructions from the OAS shall be channeled through the Commander and the chain of command designated by him.

10. Good Order and Discipline. The Commander shall have general responsibility for the good order of the Force. Responsibility for disciplinary action in national contingents provided for the Force rests with the commanders of the national contingents. Reports concerning disciplinary action shall be communicated to the Commander.

11. Military Police. The Commander shall provide for military police for any camps, establishments, or other premises which are occupied by the Force in the Dominican Republic and for such areas where the Force is deployed in the performance of its functions. For the purpose of this regulation the military police of the Force shall have the power of temporary arrest over members of the Force. Nothing in this regulation is in derogation of the authority of arrest conferred upon members of a national contingent with respect to its own members.

#### Chapter IV

##### GENERAL ADMINISTRATIVE, EXECUTIVE AND FINANCIAL ARRANGEMENTS

12. Finances. The financial procedures necessary for the proper administration and operation of the Force and other fiscal matters will be determined by the Commander in consultation with the OAS or its duly authorized representative.

13. Authority of the Commander. The Commander shall have authority to make arrangements for the provision of facilities, supplies and auxiliary services. In the exercise of this authority he shall act in consultation with the representative of the OAS and in accordance with the administrative and financial principles contained in regulations 14-24 following.

14. IAPF Headquarters. The Commander shall establish the headquarters for the Force and such other operational centers and liaison offices as may be found necessary.

15. Other Staff Personnel. (a) The Commander shall arrange with the OAS or its duly authorized representative for detailment of staff from the Pan American Union to serve with the Force; they shall be responsible to the Commander in the performance of their functions in accordance with the terms of the assignment by the Secretary General. (b) The Commander may recruit such local personnel as he requires. The terms and conditions of employment for locally recruited personnel shall be prescribed by the Commander and shall generally, to the extent practicable, follow the practice prevailing in the locality. Disputes concerning the terms of employment and conditions of service of locally recruited personnel shall be settled by administrative procedure to be established by the Commander.

16. Food, Accommodations and Amenities. The Commander shall have charge of the billeting and the provision of food for all personnel attached to the Force, and may negotiate with governments and private suppliers for the provision of premises and food. The Commander may establish, maintain and operate at headquarters, camps and posts, in accordance with such conditions as he may prescribe, recreation and welfare facilities providing amenities for members of the Force and of the Pan American Union detailed by the Secretary General to serve with the Force.

17. Transportation. The Commander shall make provision for local transportation within the area of operations; and shall coordinate the use of all transportation facilities of the Force.

18. Supplies. The Commander shall be responsible for the procurement, storage, and issuance of supplies required by the Force.

19. Equipment. The Commander shall make such arrangements as may be necessary for obtaining equipment required by the Force, other than the standard equipment expected to accompany national contingents.

20. Communications Services. The Commander shall make appropriate arrangements for the inclusion in the Force of such supporting units as may be necessary to provide for the establishment, operation and maintenance of telecommunication and postal services within the area of operations and with the OAS offices.

21. Maintenance and other Services. The Commander shall arrange for the necessary supporting units to provide maintenance, repairs and other services required for the operation of the Force.

22. Medical, Dental and Sanitary Services. The Commander shall arrange for the necessary supporting units to provide medical, dental and sanitary services to all personnel and shall make such other arrangements as may be necessary.

23. Public Information. Public information activities of the Force and relations of the Force with the press and other information media shall be the responsibility of the Commander acting in accordance with the policy defined by the representative of the OAS.

24. Contracts. The Commander may enter into contracts and make commitments for the purpose of carrying out his functions under these regulations.

## Chapter V

### RIGHTS AND DUTIES OF MEMBERS OF THE FORCE

25. Respect for Local Law and Conduct Befitting International Status. It is the duty of members of the Force to respect the laws and regulations of the Dominican Republic and to refrain from any activity of a political character therein or other actions incompatible with the international nature of their duties. They shall conduct themselves at all times in a manner befitting their status as members of the Force.

26. OAS Legal Protection. Members of the Force are entitled to the legal protection of the OAS and shall be regarded as agents of the OAS for the purpose of such protection.

27. Instructions. In the performance of their duties for the Force the members of the Force shall receive their instructions only from the Commander and the chain of command designated by him.

28. Discretion and Non-Communication of Information. Members of the Force shall exercise the utmost discretion in regard to all matters relating to their duties and functions. They shall not communicate to any person any information known to them by reason of their position with the Force which has not been made public, except on the course of their duties or by authorization of the Commander. The obligations of this regulation do not cease upon the termination of their assignment with the Force.

29. Honors and Remuneration from External Sources. No member of the Force may accept any honor, decoration, favor, gift or remuneration incompatible with the individual's status and functions as a member of the Force or prohibited by the laws of the participating state.

30. Jurisdiction. (a) Members of the Force shall be subject solely to the criminal jurisdiction of their respective participating states in accordance with the laws and regulations of those states. (b) Members of the Force shall not be subject to the civil jurisdiction of the courts of the Dominican Republic or to any other legal process in any matter relating to their official duties as determined by the Commander. (c) Without derogating from their responsibilities as members of the Force as defined in these regulations, members of the Force shall remain subject to the military rules and regulations of their respective participating states. (d) Claims against the Force and its members shall be settled in accordance with procedures provided by the laws and regulations of the participating state or states concerned. But if the claims were as a result of the accomplishment of the mission, such claims should be directed to the OAS.



31. Identity Cards. The command shall provide for the issuance and use of personal identity cards certifying that the bearer is a member of the Force. Members of the Force may be required to present, but not to surrender, their identity cards upon demand of appropriate authorities. Identity cards shall be returned to the appropriate office of the Force upon conclusion of a member's tour of duty.

32. Driving. In driving vehicles members of the Force shall exercise the utmost care at all times. Orders concerning driving of service vehicles and permits of licenses for such operation shall be issued by the Commander.

33. Pay. Responsibility for pay and allowances of members of the Force shall rest with the respective national state. Members of the Force shall be paid while serving with the Force in accordance with arrangements to be made between the pay officer and the respective national state and the Commander.

34. Service Incurred Death, Injury or Illness. In the event of death, injury or illness of a member of the Force attributable to services with the Force, the respective state from whose military services the member has come will be responsible for such benefits or compensation awards as may be payable under the laws and regulations applicable to service in the forces of that state. The Commander shall have responsibility for arrangements concerning the body and personal property of a deceased member of the Force.

35. Dependents. Members of the Force may not be accompanied to their duty station by members of their families except where expressly authorized and in accordance with conditions prescribed by the Commander.

36. Leave. The Commander shall provide conditions for the granting of passes and leave.

37. Promotions. Promotions in rank for members of the Force remain the responsibility of the participating government.

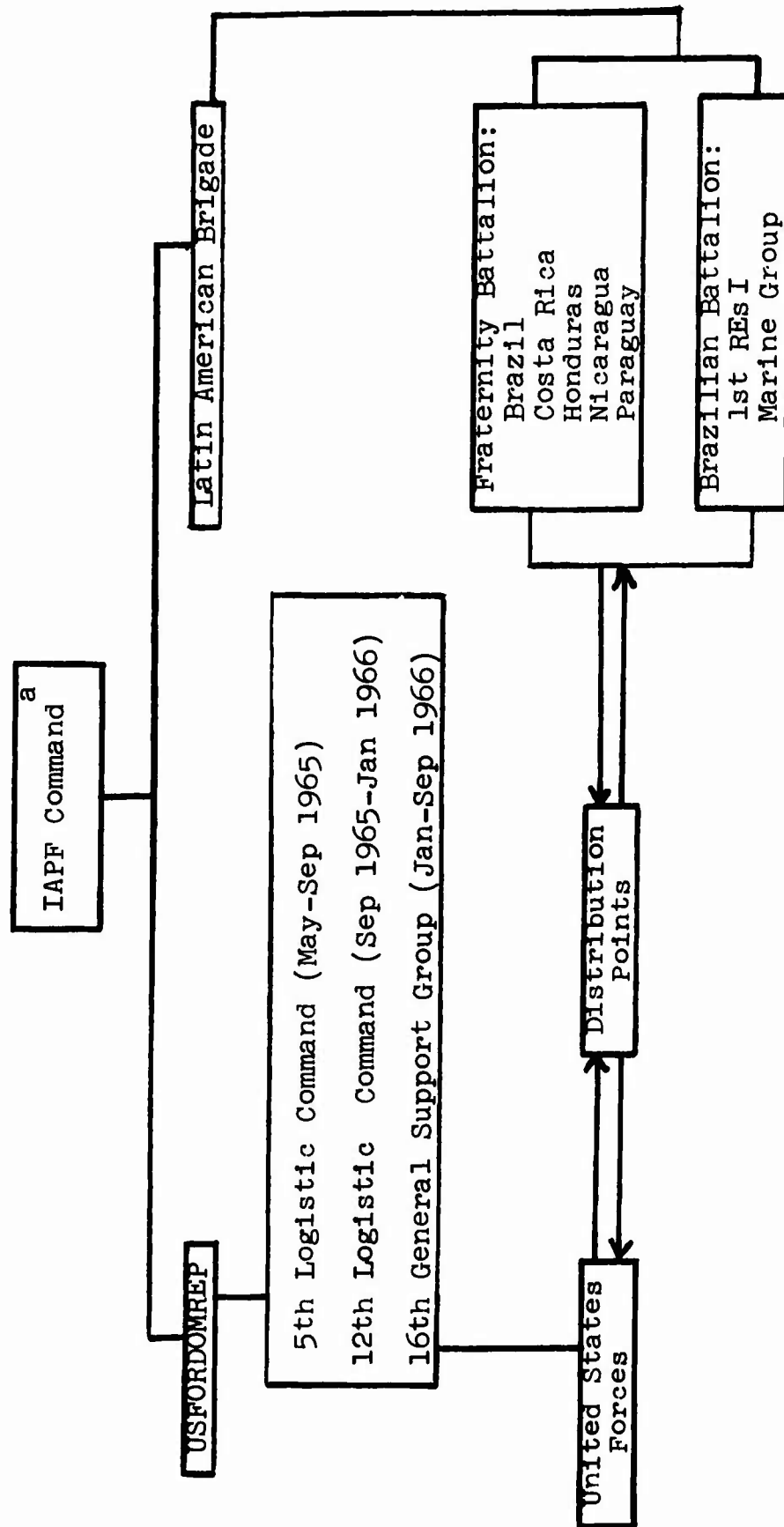


Chapter VI

APPLICABILITY OF INTERNATIONAL CONVENTIONS

38. Observance of Conventions. The Force shall observe the principles and spirit of the general international conventions applicable to the conduct of military personnel.

ORGANIZATION CHART OF LOGISTICAL SUPPORT TO THE IAPF



<sup>a</sup> For detailed breakdown of IAPF Command Structure see Annex G.

## IAPF: SUPPORT FOR NON-U.S. FORCES (U.S. ARMY)

	4th QTR 65	1ST QTR 66	2ND QTR 66	3RD QTR 66	4TH QTR 66	1ST QTR 67	TOTAL
<b>BRAZIL</b>							
Class I	\$ 58,404.53	\$ 58,573.31	\$ 60,720.85	\$250,105.23	\$ 109,321.56	\$ 63,655.20	\$ 600,780.68
" II & IV	15,528.34	66,625.31	52,824.14	37,537.52	16,641.88	7,312.71	196,469.90
" III		3,784.18	4,231.81	5,114.46	4,526.32	2,504.32	20,161.09
" V	23,889.57	46,454.84	8,518.23		6,407.88		85,270.52
<b>TOTAL</b>	\$ 97,822.44	\$ 175,437.64	\$ 126,295.03	\$ 292,757.21	\$ 136,897.64	\$ 73,472.23	\$ 902,682.19
<b>COSTA RICA</b>							
Class I	1,226.53	553.13	628.09	2,432.57	832.97	217.28	5,890.57
" II & IV		6,755.08	552.87	748.62	1,766.16		9,822.73
" III		85.59					85.59
<b>TOTAL</b>	\$ 1,226.53	\$ 7,393.80	\$ 1,180.96	\$ 3,181.19	\$ 2,599.13	\$ 217.28	\$ 15,798.89
<b>GUATEMALA</b>							
Class I	13,303.18	35,124.68	19,029.30	68,943.15	28,973.92	9,126.00	174,500.23
" II & IV	20,342.98	13,821.48	20,806.16	14,739.03	13,245.76	4,488.58	87,443.99
" III	284.84	335.69	245.26	391.17	193.35	657.01	2,107.32
" V	823.12		4,219.90	405.47			5,448.49
<b>TOTAL</b>	\$ 34,754.12	\$ 49,281.85	\$ 44,300.62	\$ 84,478.82	\$ 42,413.03	\$ 14,271.59	\$ 269,500.03
<b>NICARAGUA</b>							
Class I	9,792.62	27,718.05	13,039.74	53,153.78	18,298.79	5,762.02	127,765.00
" II & IV	7,754.60	12,673.00	3,680.78	12,125.90	12,847.47	5,324.06	54,405.81
" III		180.97	336.14	435.72	316.19	488.14	1,757.16
" V		2,242.35					2,242.35
<b>TOTAL</b>	\$ 17,547.22	\$ 42,814.37	\$ 17,056.66	\$ 65,715.40	\$ 31,462.45	\$ 11,574.22	\$ 186,170.32
<b>PARAGUAY</b>							
Class I	3,878.78	21,236.65	15,720.07	49,671.28	31,921.24		122,428.02
" II & IV	13,396.93	16,132.76	2,825.60	8,945.03	18,031.13	5,559.77	64,891.22
" III			31.59	433.81	368.04	71.23	904.67
" V		6,607.79			1,503.22		8,111.01
<b>TOTAL</b>	\$ 17,275.71	\$ 43,977.20	\$ 18,577.26	\$ 59,050.12	\$ 51,823.63	\$ 5,631.00	\$ 196,334.92
<b>HEADQUARTERS</b>							
Class I							
" II & IV	4,309.16	3,768.92	10,234.74	12,283.80	9,896.75	4,086.08	40,270.29
" III		35,889.88	68,916.38	122,825.25	80,334.45	21,755.64	334,030.76
" V			38.26	150.84			38.26
<b>TOTAL</b>	\$ 4,309.16	\$ 39,658.80	\$ 79,189.38	\$ 135,259.89	\$ 90,231.20	\$ 25,841.72	\$ 374,490.15
<b>GRAND TOTAL</b>	\$ 172,935.18	\$ 358,563.66	\$286,599.91	\$ 640,442.63	\$ 355,427.08	\$ 131,008.04	\$ 1,946,976.50

Class I Rations, forage, post exchange supplies, etc.; Classes II & IV Clothing, organizational equipment, vehicles and spare parts, fortification and construction materials, special machinery and equipment, etc.; Class III Fuels and lubricants; Class V Ammunition, explosives, mines, detonators, fuzes, and pyrotechnics.

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ANNEX K

SPECIAL FUND FOR THE MAINTENANCE OF THE HEADQUARTERS  
OF THE INTER-AMERICAN PEACE FORCE IN THE DOMINICAN REPUBLIC  
STATEMENT OF RECEIPTS, EXPENDITURES AS OF JANUARY 1968

RECEIPTS:

USA Government	\$ 557,000.00	
Government of Brazil	<u>35,000.00</u>	\$ 592,000.00

EXPENDITURES:

Fiscal Year 1965-1966	\$ 420,813.45	
July 1966 - November 1967	<u>170,327.56</u>	<u>591,141.01</u>

CASH BALANCE AS OF NOV. 27, 1967:		\$ 858.99
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OUTSTANDING OBLIGATIONS:

Medals to members of IAPF		<u>18,370.14</u>
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DEFICIT AS OF NOV. 27, 1967:		<u>\$ 17,511.15</u>
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(Met by U.S. Additional  
contribution in amount of  
\$17,511.15, January 1968)

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RECAPITULATION:

<u>Total costs</u>		<u>\$609,511.15</u>
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Total contributions

United States	\$574,511.15	
Brazil	<u>35,000.00</u>	<u>\$609,511.15</u>

Note: The foregoing figures indicate that there were only two contributors to the Special Fund for the maintenance of the Headquarters of the IAPF. The U.S. contributed 94.25% of the total and Brazil 5.74%.

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ANNEX L

PAN AMERICAN UNION  
DOMINICAN REPUBLIC ECONOMIC RECOVERY FUND\*  
A.I.D. GRANTS

I.	Salaries	\$14,159,271.08	
	a) Day Workers		\$1,497,999.91
	b) Civilian Salaries		6,732,733.36
	c) Military Salaries		5,928,537.81
II.	Public Corporations	11,764,310.81	
III.	Foreign Service	115,723.01	
IV.	Technical Assistance and Scholarships	336,489.33	
V.	Emergency Projects	1,967,939.50	
VI.	Autonomous Institutions	1,818,257.24	
VII.	Training of Hospital Personnel	200,000.00	
VIII.	Aid to Municipalities	427,771.82	
IX.	Pan American Health Organization Program	1,759,199.71	
X.	Recovery Program	21,311,074.66	
XI.	Presidential Immediate Action Program	1,835,000.00	
XII.	Others:	1,372,666.22	
	a) Food Program		182,842.38
	b) Emergency Oil Costs		37,383.02
	c) Administrative Costs		556,147.66
	d) Disabled Rehabilitation		25,000.00
	e) Rehabilitation Area Destroyed by Hurricane		499,958.16
	f) Historical Building Repair		71,335.00
TOTAL		\$57,067,703.38	

\* Adapted from table prepared by the Pan American Union.

U.S. ASSISTANCE TO THE DOMINICAN REPUBLIC (A.I.D. AND PL-480)  
April 24, 1965 to June 30, 1966

Assistance during this critical period was largely of an emergency nature and was devoted primarily to emergency relief, payment of the salaries and operating expenses of the Central Government and autonomous agencies, and providing funds for employment-generating activities.

Supporting Assistance Grants \$85,700,000

FY-1965	\$38,700,000
FY-1966	47,000,000

Administered through the OAs	57,000,000
Administered by A.I.D.	28,700,000

\$56.5 million: payment of salaries and operating expenses of the Central Government and autonomous agencies.

\$28.3 million: emergency relief and employment-generating activities.

\$900,000: project assistance - \$300,000 for public safety commodities and \$600,000 for an AIFLD\* housing project.

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\* AIFLD is the American Institute for Free Labor Development.

Supporting Assistance Loans

\$25,000,000

In May 1966 a \$10 million SA loan was authorized to assist the Provisional Government in meeting its operating budget deficit and to finance investment activities in its budget.

In June 1966 a \$15 million SA loan was authorized as the first part of a \$40 million package. These funds were used during FY-1967 to finance investment activities in the budget of the Balaguer Government which took office in July 1966.

Development Loans

14,500,000

National Housing Bank	\$5,000,000
Agricultural Credit Bank	9,500,000

Technical Cooperation Grants

7,200,000

Food for Peace

8,900,000

Title II - \$3,500,000 - emergency feeding during May-August 1965.

Title III - \$5,400,000 - food distributed during FY-1966 through CARE, CWS and CRS for school and family feeding.

TOTAL

\$141,300,000



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Note - 1

The Inter-American Defense Board and  
Peacekeeping in the Inter-American System

Following the Japanese attack on Pearl Harbor and the entry of the United States in World War II, the Foreign Ministers of the American Republics met in Rio de Janeiro in 1942 and recommended the immediate meeting of the military and naval officers of the American Republics in Washington to study and recommend measures necessary for the collective defense of the continent. The ensuing meeting in Washington on March 13, 1942 was the founding meeting of the Inter-American Defense Board (IADB).

We need not go into the work which the Board accomplished in dealing with the problems of collective defense posed by World War II for the Western Hemisphere. At present it is charged with the preparation of military plans of the common defense which are submitted by it directly to the governments for their consideration and decision. Its function is advisory and recommendatory. It has no power to order or to direct the 23 member states whose representatives comprise the IADB. It should be said that while the Board is not an organic part of the OAS, it does secure its operating funds from the OAS, and maintains informal relationships with the OAS and its other related organs.

To carry out its mission, the IADB consists of the Office of the Chairman, who is the directive and representative officer; the Council of Delegates is the governing and deliberative body and is made up of military officers from American Republics; the Staff is the technical body; the Secretariat is the administrative body; and the Inter-American Defense College.

Each nation has one vote, and there is no veto power. Generally, a simple majority of those delegations present is required for the adoption of decisions, save such questions as changes in existing regulations and organizational matters which require a two-thirds majority.

Of the most important of the resolutions adopted by the IADB are the plans, and the most significant of these is the "General Military Plan" which it regards as the backbone of all its work. Unlike most existing military plans, the "General Military Plan" does not provide for the commitment of forces. It is not a directive for establishing operational forces of supporting logistics. What it does establish is a common basis for the planning actions. The Board has no forces under its command or control.

The IADB, after nearly a quarter of a century of military specialization in the Latin American area, was ideally suited to place its experience and expert knowledge at the service of the OAS in advising it on the technical aspects relating to the organization of a combined command and of an Inter-American armed force. While the IADB is normally kept at arms length by the OAS, the Secretary-General did call upon the Board to assign a military adviser to him during the Dominican Crisis. Also in connection with the establishment of the IAPF in response to the request of the Special Committee of the 10th MFM, the Board submitted a paper relating to the organization of the Inter-American Peace Force.

The IADB, it should be borne in mind, is a military planning agency and not an operating military agency and commands no troops.

In the light of the present political attitudes of most of the members of the OAS, particularly on the problem of intervention in their internal affairs, the IADB treads warily in its mission of military planning for the collective defense of the continent.

The experience of the OAS in the unprecedented creation of the IAPF suggests, however, that the various members of the OAS might very well consider adopting the practice of some of the members of the United Nations in earmarking forces which, at the discretion of the member government, might be made available upon call by the OAS for peacekeeping operations. In preparation for such a call, the IADB together with its Inter-American Staff College is ideally suited to give guidance and develop manuals on doctrine and training of the earmarked forces of the various states.

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It is realized that not all the OAS members would be in a position, for one reason or another, to earmark forces. In this respect, however, the OAS does not differ from that of the United Nations. While the UN has a much larger membership to choose from, the experience in the Dominican Crisis does show that in an organization of 20 members then, and now 23, a multinational force based on the concept of earmarked contingents can be created to discharge peacekeeping missions entrusted to it by the OAS.

On September 21, 1966, the day of the completion of the withdrawal of the final elements of the IAPF from the Dominican Republic, the Ad Hoc Committee submitted its report to the 10th MFM, from which the following language is worth noting:<sup>1</sup>

"The Committee is convinced that without the indispensable role which the IAPF has played, it would not have been possible for the provisional government to have accomplished the great task of national reconciliation, nor would it have been possible to hold the national elections which took place on 1 June 1966 in an atmosphere of complete calm and order."

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<sup>1</sup> United Nations Security Council, S/7502, 21 September 1966, p. 2.

Note - 2

Comparison Between the Structure  
and Organization of the IAPF and  
That of UNFICYP

General Observations

Every United Nations peacekeeping operation has hitherto involved a set of three interdependent agreements: 1) between the Organization and the host country (Status of Forces Agreement); 2) between the Organization and contributing states (Participation Agreements); and 3) between the Organization and the force itself (Force Regulations). Since each agreement is dependent upon the other, all three are concluded to provide the legal basis of the relationship between the parties involved in the peacekeeping operation. Unfortunately, the IAPF operation lacked the legal completeness and soundness of a United Nations peacekeeping mission. Only the Force Regulations were ever issued while the Status of Forces and Participation Agreements failed to materialize.

Establishment of the Force and the Host's Consent

UNFICYP was established by a Security Council resolution of 4 March 1964 which recommended "the creation, with the consent of the Government of Cyprus, of a United Nations peacekeeping force in Cyprus." */Italics added./* Neither the OAS resolution of 6 May 1965 providing for the creation of the Force nor the "Act Establishing Inter-American Force" of 23 May 1965 mentioned the consent to the Dominican Republic in the creation of the Inter-American Peace Force, there being no Dominican Republic in existence at this time to give consent. Nor did the OAS make the effort to secure consent ex post facto when a government came into existence.

Duration

The Security Council Resolution establishing UNFICYP (S/5575) created the force for a period of three months. Subsequent resolutions extended the mandate for additional three-and-six-month periods.

On the other hand the IAPF was an open-ended arrangement. The May 6 resolution placed the power of withdrawing the IAPF in the hands of the OAS.

#### Financing the Force

The Security Council Resolution (S/5575) provided that "all costs pertaining to it /UNFICYP/ being met, in a manner to be agreed upon by them, by the Governments providing the contingents and by the Government of Cyprus. The Secretary-General may also accept voluntary contributions for that purpose." The IAPF Act of 23 May 1965 made no mention of the financial arrangements to be followed.

#### Selection and Powers of the Force Commander

There was no provision in the Security Council resolution (S/5575) regarding the powers of the Force Commander. Under United Nations peacekeeping operations, the Security Council has traditionally left the choice of the Force Commander to the Secretary-General, who is answerable to him, whereas under the OAS the selection of the Commander and the Deputy Commander was to be made respectively by the countries stipulated in the basic resolution of the OAS.

The IAPF Act of 23 May 1965, a document signed by the Secretary-General on behalf of the OAS, and the contingent commanders, presumably on behalf of their respective governments, however, gave wide powers to the Commander:

- I. 4. The Commander of the Inter-American Force shall exercise operational control over all elements of the force. He shall be responsible for the performance of all functions assigned to the force by the Organization of American States, and for the deployment and assignment of the units of the force, and shall be answerable to the OAS.
- II. 3. The Commander is empowered to issue Force Regulations, which shall be binding upon all members of the Force.
4. The Commander shall establish a table of organization and designate a chain of command for the Force.



Similar provisions for the UNFICYP commander were to be found only in the Force Regulations given him by the United Nations Secretary-General.

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#### Status of Forces Agreement

There was no Status of Forces Agreement between the Dominican government and the OAS as there was between Cyprus and the United Nations, there being no government in the Dominican Republic with which to negotiate one. Therefore, there was no legal recognition by the Dominican Republic of the IAPF's international status, freedom of movement, civil and criminal jurisdiction, privileges and immunities, use of roads, waterways, port facilities and airfields, etc.

#### Agreements with Participating States

There were no agreements between the OAS and members providing contingents to the IAPF relating, inter alia, to such matters as logistics support and the payment thereof, airlift costs, payments and allowances to troops, and a host of other matters as there were between the United Nations and the UNFICYP participants. Furthermore, there was no commitment on the part of the IAPF participants to provide financial support or not to withdraw from the operation.

#### UNFICYP and IAPF Force Regulations

The similarity of the two documents suggests that the OAS merely copied whole sections of the United Nations Force Regulations. Every one of the provisions found in the IAPF Regulations was covered in the UNFICYP Regulations. On the other hand, there were certain sections contained in the UNFICYP Regulations that were deleted from the IAPF Regulations, but they were of minor significance and do not warrant further elaboration or detail.

Although the language of the two documents was almost identical, there was one major difference between them. The United Nations delegated its authority to the Force Commander through the Secretary-General whereas the OAS conferred its authority directly on the Force Commander.

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A comparison of relevant sections of both regulations illustrates these differences:

IAPF. 1. \* Issuance of Regulations. The regulations for the Inter-American Peace Force (hereinafter referred to as the Force) are issued by the Commander of the Force (hereinafter referred to as the Commander) in accordance with paragraph II-3 of the Act establishing the Inter-American Force signed May 23, 1965.

UNFICYP. 1. Issuance of Regulations. The Regulations for the United Nations Force in Cyprus (UNFICYP) (hereinafter referred to as the Force) are issued by the Secretary-General and shall be deemed to take effect from the date that the first elements of the Force are placed under the United Nations Commander....

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IAPF. 2. Amendments. These regulations may be amended or revised by the Commander.

3. Supplemental Instructions. Supplemental instructions consistent with the present regulations and the Act establishing the Inter-American Force of May 23, 1965 (hereinafter referred to as the Act) may be issued by the Commander as required.

UNFICYP. 3. Amendments and Supplemental Instructions. These Regulations may be amended or revised by the Secretary-General. Supplemental instructions consistent with the present Regulations may be issued by the Secretary-General as required with respect to matters not delegated to the Commander of the Force (hereinafter referred to as the Commander).

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\* The numbers refer to the numbered paragraphs of the Regulations of IAPF and those of UNFICYP.



IAPF. 8. Command Authority. (a) The Commander has operational control over the Force. He is operationally responsible for the performance of all functions assigned to the Force by the OAS, and for the deployment and assignment of troops placed at the disposal of the Force....

UNFICYP. 17. Operation of the Force. The Commander shall be responsible for the operation of the Force and, subject to the limitation in Regulation 16, for arrangements for the provision of facilities, supplies and auxiliary services. In the exercise of this authority he shall act in consultation with the Secretary-General and in accordance with the administrative and financial principles set forth in Regulations 18-23 following.

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IAPF. 12. Finances. The financial procedures necessary for the proper administration and operation of the Force and other fiscal matters will be determined by the Commander in consultation with the OAS or its duly authorized representative.

13. Authority of the Commander. The Commander shall have authority to make arrangements for the provision of facilities, supplies and auxiliary services. In the exercise of this authority he shall act in consultation with the representative of the OAS and in accordance with the administrative and financial principles contained in regulations 14-24 following.

UNFICYP. 16. Authority of the Secretary-General. The Secretary-General of the United Nations shall have authority for all administrative and executive matters affecting the Force and for all financial matters pertaining to the receipt, custody and disbursement of voluntary contributions in cash or in kind for the maintenance and operation of the Force....

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- IAPF. 16. Food, Accommodations and Amenities. The Commander shall have charge of the billeting and the provision of food for all personnel attached to the Force, and may negotiate with governments and private suppliers for the provision of premises and food.
18. Supplies. The Commander shall be responsible for the procurement, storage, and issuance of supplies required by the Force.
19. Equipment. The Commander shall make such arrangements as may be necessary for obtaining equipment required by the Force, other than the standard equipment expected to accompany national contingents.
21. Maintenance and Other Services. The Commander shall arrange for the necessary supporting units to provide maintenance, repairs and other services required for the operation of the Force.
- UNFICYP. 21. Administration. The Commander with his civilian administrative staff shall, in accordance with procedures prescribed by him within the limits of Regulation 16, and in consultation with the Secretary-General, arrange for:
- (a) the billeting and provision of food for any personnel attached to the Force for whom their own Government has not made provision;....
  - (d) the procurement, storage and issuance of supplies and equipment required by the Force which are not directly provided by the Participating Governments;
  - (e) maintenance and other services required for the operation of the Force;....